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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-first session

SUMMARY RECORD OF THE 453rd MEETING

Held at the Palais des Nations, Geneva,
on Monday, 1 October 1990, at 10 a.m.

Temporary Chairman: Mr. DANNENBRING (Federal Republic of Germany)

Chairman: Mr. AZIKIWE (Nigeria)

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Any corrections to the records of the meetings of the Executive Committee at this session will be consolidated in a single corrigendum to be issued shortly after the end of the session.

The meeting was called to order at 10.30 a.m.

OPENING OF THE SESSION (item 1 of the provisional agenda)

1. The TEMPORARY CHAIRMAN declared open the forty-first session of the Executive Committee of the High Commissioner's Programme. He said that despite the serious crisis in the Gulf, developments in the global political situation gave some grounds for optimism as far as the solution of some refugee problems was concerned. East-West antagonism was coming to an end, a process of democratization was taking place in countries of Eastern Europe, and the settling of ideological conflicts throughout the world was bound to have a positive impact on the dialogue between nations. Namibia had acceded to independence, and UNHCR had secured the repatriation of some 43,000 Namibians. The move towards a peaceful settlement in Cambodia was gaining greater momentum, and it was to be hoped that a political solution would soon permit the Afghan refugees to return to their country.

2. However, there were still some 2.3 million refugees in the developed countries, and about 12.5 million in developing countries. Twenty-nine out of the 41 low-income countries had recently encountered refugee problems, problems which were often the result not only of political factors but also of economic and ecological pressures. The Conference on the Least Developed Countries which had taken place in Paris in September 1990 had alerted the international community to the fact that large-scale population displacements in the poorest countries of the world could become a major security threat. The new exodus caused by the military annexation of a State Member of the United Nations was also a cause for serious concern.

3. The world had changed considerably since the adoption of the Geneva Convention in 1951, and the international community would have to make every effort to adjust to the new realities. It was clear that current trends in refugee movements called for urgent action, from the High Commissioner and from the United Nations system as a whole.

4. During the summer of 1990, he had visited two countries affected by serious refugee problems, namely, Thailand and Pakistan. In Thailand, some 100,000 refugees were receiving UNHCR assistance, and some 300,000 Cambodians were being helped under the United Nations Border Relief Operation (UNBRO). Prospects for the repatriation of the Cambodians seemed recently to have improved; however, where the Vietnamese were concerned, granting of first asylum and implementation of the Comprehensive Plan of Action (CPA) were still encountering difficulties. For example, no solution had yet been found for the 80 per cent of the people in the camp of Phanat Nikhom who had been refused refugee status.

5. Pakistan was the country with the largest refugee population (around 3.3 million). The Pakistani authorities, the United Nations and both intergovernmental and non-governmental organizations were carrying out a variety of activities to assist them. The main difficulty stemmed from the fact that the most desirable solution, that of repatriation, depended on political factors over which international bodies had little influence. After 10 years, the question was being asked whether the international community would be prepared to keep up the same level of aid for a further decade. Fortunately, the special repatriation programme had taken off, and there was hope that an increasing number of Afghan families would be enabled to return to their country.

6. Over the past year the Executive Committee had been forced to concentrate on UNHCR's serious financial problems. At its fortieth session, it had been faced by an unprecedented financial crisis, which had threatened to bring General Programme activities to a complete standstill before the end of 1989. The Committee had accordingly decided to authorize the High Commissioner to carry over from 1989 to 1990 up to $40 million in unliquidated obligations, thus enabling the Office to continue its programmes, although at a reduced pace. In the event, the 1989 financial year had closed with a deficit of $38 million, which would have to be absorbed in 1990 and would consequently have to draw on the current year's funds.

7. The Executive Committee had tried hard to avoid the recurrence of such a deficit. As a first step, obligations during the first six months of 1990 had been limited to $190 million. In addition, a Temporary Working Group had been set up to make a thorough review of the Office's General Programmes and other assistance activities, giving particular attention to budgetary and administrative reforms and to the division of responsibility between UNHCR and others. Between November 1989 and May 1990 the Working Group and its four task forces had met almost without interruption. The exceptional crisis had called for an exceptional engagement: representatives of member States and UNHCR staff alike had shown a remarkable spirit of compromise and co-operation, which had greatly facilitated the work.

8. On the basis of the Working Group's report, the Committee, at its extraordinary session in May of that year, had approved a revised budgetary target of $378.9 million for General Programmes in 1990, and had identified a number of questions left pending. Some of those questions had been taken up recently by the Sub-Committee on Administration and Finance, but the work had not yet been completed and the Sub-Committee would need to conclude its task as early as possible if it was to be in a position to submit recommendations to the Executive Committee at its forty-second session. Another working group had been established to look into the question of solutions to the refugee problem and the question of protection. That group's task should be to make a further study of the essential aspects of a comprehensive and coherent refugee policy, to make proposals, and to develop strategies.

9. The increasing number of refugees, their concentration in third world countries, and the fact that countries of first asylum and resettlement were neither willing nor able to admit further refugees, were all developments which gave rise to serious problems. More emphasis should be laid on preventive action. In that regard, the High Commissioner's decision to create a UNHCR working group to serve as a focal point for early warning was to be welcomed. When prevention failed, an appeal had to be made to international solidarity by inviting countries of origin as well as donors to join forces in a combined effort. In addition, the United Nations system would have to address itself to the task of creating instruments with a clearly defined function and with the capacity to react quickly. In conclusion, he expressed the hope that the Executive Committee would continue to fulfil its unique function in the international endeavour to mitigate and ultimately to solve refugee problems, wherever they occurred.

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS (item 3 of the provisional agenda) (A/AC.96/XLI/L.1)

10. The provisional agenda (A/AC.96/XLI/L.1) was adopted.

ELECTION OF OFFICERS (agenda item 2)

11. The TEMPORARY CHAIRMAN invited the members of the Committee to nominate candidates for the offices of Rapporteur and Vice-Chairman.

12. Mr. BENEDETTI (Italy) nominated Mr. D'Alotto (Argentina) for the office of Rapporteur.

13. Mr. WALKER (Australia) seconded the nomination.

14. Mr. D'Alotto (Argentina) was elected Rapporteur by acclamation.

15. Mr. MAHIGA (Tanzania) nominated Mr. Ceska (Austria) for the office of Vice-Chairman.

16. Mr. FAN (China) supported the nomination.

17. Mr. Ceska (Austria) was elected Vice-Chairman by acclamation.

18. Mr. SEMICHI (Algeria) pointed out that because of the departure of his predecessor, the Executive Committee would, for the first time, have to elect a chairman who had not held the office of Vice-Chairman at the previous session. Algeria had indicated that that departure should in no way be taken to imply a disengagement on its part, on the contrary, it continued to be willing to discharge the responsibilities assigned to it at the fortieth session.

19. However, unexpected obstacles had prevented Algeria from completing its mandate. The African Group, faced with a dilemma arising from the interpretation of the rules of procedure, had requested the opinion of the United Nations Legal Counsel in New York. Although that opinion had received the full support of the Algerian delegation, it had not been fully complied with, in that the Executive Committee had not come to any decision on the question of principle, namely, whether or not its members were at liberty to nominate the new representative of Algeria to the office left vacant by his predecessor.

20. While deploring that situation, which might well create an unfortunate precedent, Algeria wished to reaffirm its unfailing support for the cause of refugees, its willingness to strive unceasingly to reach solutions to the problems arising in Africa, and its complete endorsement of the activities of the High Commissioner and UNHCR.

21. The TEMPORARY CHAIRMAN said that officers of the Committee were elected in an individual capacity, and vacant posts had to be filled in conformity with the rules of procedure and past practice. It would be preferable for the Chairman to be elected by acclamation, but if that were not possible, the Committee would proceed to a vote.

22. Mr. VERNOUX (Madagascar), speaking on behalf of the African Group, asked that the meeting be suspended for about 15 minutes.

The meeting was suspended at 11.05 a.m. and resumed at 11.45 a.m.

23. The TEMPORARY CHAIRMAN requested the co-ordinator of the African Group to inform the Executive Committee of the outcome of the Group's consultations.

24. Mr. VERNOUX (Madagascar), on behalf of the African Group, said that the Group was now ready to take part in the election of the Chairman of the Committee.

25. The TEMPORARY CHAIRMAN invited members to nominate candidates for the office of Chairman.

26. Mr. KAMEL (Pakistan) nominated Mr. Azikiwe (Nigeria).

27. Mr. MARTIUS (Federal Republic of Germany) supported the nomination.

28. Mr. Azikiwe (Nigeria) was elected Chairman by acclamation.

29. Mr. Azikiwe (Nigeria) took the Chair.

30. The CHAIRMAN thanked members of the Committee for the confidence they had placed in him, and through him, in his country, Nigeria.

31. In order to save time, he suggested that the Committee should consider the question of the participation by government observer delegations in the informal meetings of the Executive Committee and its two Sub-Committees during 1991 (agenda item 3) under agenda item 7 (any other business). If there was no objection, he would take it that the Committee agreed to the proposal.

32. It was so decided.

GENERAL DEBATE (agenda item 4)

33. Mr. STOLTENBERG (United Nations High Commissioner for Refugees) expressed the hope that his working relations with the newly elected Bureau would be as fruitful as with the outgoing Bureau. The support and trust of the Executive Committee were of the highest importance for his Office.

34. Since the Committee's last formal meeting, there had been a number of dramatic developments. The advent of the Middle East crisis had blighted hopes that 1990 might mark the dawn of a new era in international relations. Although the situation was serious, it should not be forgotten that the end of the cold war, the replacement or radical transformation of many authoritarian régimes, and the new central role of the United Nations, nevertheless provided unprecedented opportunities for multilateral co-operation. It was for UNHCR to seize those opportunities and thereby contribute to the building of peace.

35. The crisis in the Middle East had triggered off a new wave of destitute people across international boundaries; the great majority of them were foreign workers desperately trying to get back home. In the minds of many people they were refugees. Bureaucratically, the situation may have posed a dilemma. In fact, the great majority of those in need were migrant workers who could return, and wished to return, to their own country. They were not refugees in need of international protection. However, as he saw it, there could be no dilemma in such a situation, since one did not ask a dying man to decide who had caused the accident; one tried to generate and mobilize the necessary resources to provide help for the victim.

36. That was the reason why, from the early stages of the crisis, he had made personal contacts with representatives of Governments in the region and had offered UNHCR's support and expertise. UNHCR had also held meetings with representatives of relevant organizations in order to establish, on an informal basis, what should be done, and by whom. Throughout, he had remained in close contact with the Office of the United Nations Secretary-General. At a time when the political machinery of the United Nations might finally be fulfilling the function for which it had originally been designed, it was disquieting to note that the parallel humanitarian machinery might prove inadequate. There was clearly an urgent need to take a fresh look at the capacity of the United Nations and of the international community to respond swiftly to today's humanitarian emergencies. UNHCR intended to take an active part in such efforts.

37. Concerning the conflict in Liberia, UNHCR, from the very beginning, had been in contact with Governments and with the Organization of African Unity (OAU) in an attempt to contain the crisis. Unfortunately, those efforts had been unsuccessful, and the conflict had continued to worsen, provoking one of the largest refugee exoduses witnessed anywhere in recent years; more than 500,000 Liberians had sought asylum in neighbouring countries, while many others had been displaced within Liberian territory. After several appeals, UNHCR had now received adequate funds for the coming months. A major humanitarian catastrophe had thus been, if not averted, at least contained, thanks to the generosity of host countries and of the local population, the hard work of some non-governmental organizations, and the intervention - regrettably limited in the initial stages by funding constraints - by UNHCR and other United Nations agencies. Developments in the political and military situation, as well as some recent contributions of funds, might prevent a further deterioration.

38. In order to be able to respond meaningfully and effectively to the realities and challenges of the present, UNHCR had spent a good part of the first nine months of the year rationalizing the structures, procedures and funding basis of its programmes.

39. At the 1990 extraordinary session, he had referred to better use of resources as one of the six pillars of UNHCR's funding strategy. Some major steps had been taken in that direction. UNHCR headquarters had now been given a new structure, leaner at the top, and now had new machinery, in the form of the Senior Management Committee, for taking and following through policy decisions. A 15 per cent reduction in posts was currently taking place, and the number of UNHCR offices either closed or shortly to be closed in various parts of the world was to be brought to 19. Although those measures would in the long run lead to significant economies, their implementation within a very

tight time frame would require additional resources for separation indemnities to staff in cases of termination. He knew he could count on the understanding and support of the Executive Committee in that regard.

40. As part of those changes, more than 130 UNHCR staff members had been reassigned at short notice and had left, or were ready to leave, for their new posts. Although such reassignments had undoubtedly had a disruptive effect on the individuals concerned and on their families, as well as on the overall functioning of the Office, the deferral of the necessary decisions in the past had made them unavoidable. Throughout that difficult operation, UNHCR staff and their elected representatives had shown an exemplary spirit of co-operation and understanding.

41. Other pillars of UNHCR's financing strategy had also been developed. However, initiatives to promote new support from Governments and private donors required further efforts, also investment in time and resources which UNHCR did not at present have. Nevertheless, the limited results which had been achieved so far indicated the importance of continuing efforts.

42. Support from traditional donors had not failed, for which he was deeply appreciative. Thanks mainly to that group of donors, UNHCR had so far received $406 million, of which $286.7 million was for General Programmes and $119.3 million for Special Programmes. That income, covering three quarters of UNHCR's annual requirements, corresponded to slightly less than three quarters of the projected income for 1990 of $550 million. However, he was concerned that after taking into account anticipated secondary income, UNHCR would still need some $60 million to fund its General Programmes, and that the response of donors to a number of Special Programmes was still very disappointing.

43. In general, UNHCR's financial problems were above all affecting its more difficult operations, the success of which required not only careful planning but also minimum contingency resources. Food supplies presented a particular problem, but inadequate resources could also result in missed opportunities for solutions, as, for example, repatriation from Malawi to Mozambique and local integration in Somalia. In addition, inadequate funding affected protection and asylum policies, an issue which was taken up in the Note on International Protection (A/AC.96/750). Finally, the precarious financial situation had an impact on education programmes, such as the building of schools and the provision of teaching materials. However acute the financial problems might be now, their impact would be felt even more severely with time, notably in the transport sector.

44. Generally speaking, the uncertain nature of UNHCR's system of funding greatly limited the effectiveness of its activities, by depriving it of the flexibility it needed to act swiftly and effectively in emergencies, as well as of the capability to plan ahead. That matter deserved further thought in the course of the current session.

45. To ensure the best use of the limited resources available, one was obliged to set priorities. Two fundamentally important elements must be taken into account: UNHCR's access to the refugees and conditions of security for refugees and agency personnel, without which the Office was unable to fulfil its protection mandate. Accordingly, the Office would give priority to countries or situations which provided at least basic security conditions.

46. Women with dependant children represented the largest number of beneficiaries of UNHCR programmes, and were thus a priority target for its activities. Accordingly, existing procedures would have to be adapted, and Governments, implementing partners and UNHCR staff made responsive to the needs of refugee women. In the coming year that policy should be given practical effect.

47. Another priority was that UNHCR should be capable not only of dealing with problems when they arose, but also of anticipating them, whence the importance of an early warning system. Such a system, which constituted the first step in the protection function, implied a link between protection and human rights. On that point, he referred participants to the Note on International Protection (A/AC.96/750), which outlined UNHCR's thinking on future directions of refugee policy which might be developed by joint consultations.

48. It was all too often necessary to plan ahead while at the same time grappling with the immediate problems of protection and assistance. Thus, in South-East Asia, the immediate problem was to ensure that refugees arriving in boats had access to first asylum, on which their very survival at times depended. At the same time, it had long been clear that the main characteristics of the outflow were no longer solely that of a refugee phenomenon. On the basis of the Comprehensive Plan of Action, UNHCR was ready to work with the Governments concerned to seek a consensus on the issue of those persons found not to be refugees, in order to protect the interests of those genuinely in need of protection and at the same time provide for the return, in safety and dignity, of the other exiles. Combined efforts, including information campaigns and economic assistance to the communities of origin of the non-refugees, together with strict application of fundamental protection principles, were proving to be increasingly successful in South-East Asia.

49. In Europe, too, Governments were increasingly confronted not with refugee flows in the strict sense, but rather with migratory flows of persons who did not meet the refugee criteria. It was nowadays realized that what was needed was not so much stringent border controls as international co-operation, combining asylum and resettlement with economic aid to countries or regions of origin and the speedy return of those not meeting the refugee definition.

50. In America, the International Conference on Central American Refugees (CIREFCA) stood out as a model of solutions to the problem of uprootedness. That approach, which linked UNHCR's limited activities with the longer and more durable process of development in the region, could serve as a model for other regions. The Conference had given rise to Belize's accession to the United Nations Convention relating to the Status of Refugees (1951), the adoption of legislation in Mexico designed to reinforce the status of refugees, and changes in attitude towards voluntary repatriation and to actual repatriation movements. The process set in motion by CIREFCA had led to a fruitful co-operation between the United Nations Development Programme (UNDP) and UNHCR, co-operation which could also serve as an example to other regions.

51. Unfortunately, the outlook was not so favourable everywhere in the world. Apart from the Gulf crisis, there were other situations which were equally serious, but which commanded less interest. While the new political climate of openness prevailing in some parts of the world was cause for rejoicing,

in others the socio-economic prospects remained bleak. It was known that instability and mass population movements were due chiefly to underdevelopment. Consequently, appropriate development aid could contribute to the prevention and eventual solution of refugee problems. The plight of the developing countries should thus be addressed immediately if the situation of refugees the world over was not to deteriorate. The Horn of Africa was a case in point. In that region, refugees were in an almost hopeless situation for a number of reasons, including conflicts, drought and famine, poverty, underdevelopment, and neglect on the part of the international community. However, there were indeed possibilities for voluntary repatriation. Unfortunately, not only had UNHCR been unable to take advantage of those possibilities due to lack of funds, but there had also been early warning signals of a recurrence of famine in the region. The Office had set up a task force and had contacted other United Nations agencies, Governments, and non-governmental organizations to set up contingency plans.

52. Two of his aims, had been to strengthen the credibility and prestige of UNHCR and to sustain the morale of the staff. Those were both necessary tools for making UNHCR the focal point for the efforts of the international community in favour of 15 million refugees, men, women and children. He had been encouraged by the response. An increasing number of appeals were being made to UNHCR, and its staff were responding to those appeals with their traditional devotion to duty, and, he might say, enthusiasm. He now had three major ambitions. The first was to promote voluntary repatriation, which was the best solution for refugees, ensured the most productive use of resources, and made a concrete contribution to peace and stability. The recent return home of over 43,000 Namibians and over 30,000 Central Americans had shown that it was possible. Favourable conditions had also given momentum to the voluntary return of Chileans. More than 50,000 Afghans had returned to their country under the voluntary repatriation pilot project launched earlier that year, and a further 125,000 had spontaneously returned home from Iran and Pakistan. Political developments in Western Sahara and Cambodia augured well for a global settlement under the auspices of the United Nations. In both situations, the return of refugees was of necessity one of the first priorities, and UNHCR should be prepared to play a key role in that regard.

53. In the case of Cambodia, in the light of the framework agreement now accepted by all parties and endorsed by the Security Council, accelerated steps were being taken to prepare the ground for the safe return of refugees and displaced persons. Those preparations would require substantial advance funding. The Office would have to shoulder heavy responsibilities, and would need to be provided with the resources necessary to discharge them. He had been in contact with the United Nations Secretary-General on the matter.

54. UNHCR was also prepared to contribute - when the time came - to the voluntary return of South Africans and Mozambicans. He intended to seek political and financial support from the international community when the conditions for voluntary repatriation were attained.

55. His second ambition was to secure asylum for refugees in the years to come. A fundamental principle in that respect was protection against return or refoulement of a refugee to situations which would endanger his life or his freedom. However, in order to secure admission and asylum for those in need of protection, there was need to address the larger issue of migratory flows.

Persecution and oppression had to be met by asylum; migratory flows had to be met by preventive economic and development aid. To blur the distinction might be detrimental to the specific interests of refugees, but to ignore the links between the two factors would be unrealistic. Unless the issue of migrations was dealt with forcefully, through economic and development policies going well beyond the traditional patterns of humanitarian assistance to people in need, Governments of both developed and developing countries might find it even more difficult in the years ahead to cope rationally and successfully with mass exoduses. The Office, for its part, might find it impossible to continue properly to identify, protect and assist persons falling within its competence. His third ambition was to have those issues placed on the international agenda. In his view, it was becoming increasingly evident that the issue of refugees and migration at large was bound to be one of the major threats to security, in the broadest sense, in the coming decade. He would take every opportunity to bring those problems to the attention of world leaders, competent organizations, public opinion and the media.

56. If the causes of refugee movements went unchecked, if the poor were to be forced to flee in ever-increasing numbers towards the more prosperous regions, then the threat to the common security of mankind as a whole was a real and immediate one. However, it was not refugees and migrants who posed the threat. They themselves were victims of injustice and inequality. They were a permanent reminder of the need to combat the various forms of political and economic oppression that so gravely afflicted the world. The root causes of refugee movements and uncontrolled migration were to be found in the inequalities and injustices that the international community had itself created or condoned, and it was those phenomena which constituted the threat. The solution was not to put up barriers, or to condemn the poor to continue to endure privations. On the contrary, what was needed was a clear policy of asylum for refugees, and a firm commitment to development aid for the disinherited of the world. If the international community could move on those two fronts, it would lay the foundations for a more secure and peaceful future for generations to come. To follow any other road would be to miss the opportunity offered by the new climate of reconciliation, and would jeopardize whatever opportunity there might be of creating a safer world.

57. Mr. WALKER (Australia) recalled that when the Executive Committee had met for its fortieth session the previous year, the Office had been an organization in difficulty. Accordingly, a Temporary Working Group had been set up to consider the financial crisis besetting UNHCR, and all those involved were giving the crisis the serious attention it deserved. The document on UNHCR's response to the Working Group's recommendations showed that many of the much needed reforms had been put in place or were being contemplated. Although of course much needed to be done, he was heartened by the assurances that UNHCR would continue its efforts.

58. Since the Executive Committee's last session, there had also been a marked improvement in communication, including greater clarity and transparency in presentations. Nevertheless, the financial crisis was still very much in evidence, and in spite of increased contributions by a number of donors, UNHCR's resources were still inadequate. If UNHCR was to compete successfully for the limited international funding available for humanitarian assistance, and attract new funding, it would have to demonstrate that it was an effective organization, capable of responding to today's needs.

59. A second major issue was currently facing UNHCR: the issue addressed by the High Commissioner himself in his statement, and which was the subject of the Note on International Protection (A/AC.96/750). The pressures and inequalities that were to be found in the world today were the cause of increasingly complex movements of people. Many of those persons were refugees, and came directly within the High Commissioner's mandate. Many others had been displaced as a result of warfare, civil strife or natural disasters, either within their own countries or beyond their national borders. In addition, to an ever greater degree ordinary migratory movements were characterized as flight from poverty and hardship and hence as warranting international involvement and resolution.

60. Those were serious and troubling issues for the international community, which went well beyond the scope of any single organization, and called for commitment on the part of all.

61. The mandate of UNHCR was protection and assistance for refugees. The term "refugee" had been given a very broad interpretation. However, the Committee should operate within the framework of the Convention and Protocol, which clearly defined a refugee as a victim of persecution. Persecution itself was a gross violation of human rights, and victims of persecutions needed a very special régime of protection. That was afforded by the Convention and Protocol. In his view, those instruments were as relevant today as they had been 40 years ago. The problem was the tendency to seek a flexibility within those instruments that was not required.

62. UNHCR also played an important role in assisting displaced persons who had crossed the boundaries of their own country. That role had been reaffirmed a number of times over the past 15 years by the United Nations General Assembly, and it was now an important element in the Office's mandate. For both groups, the search for durable solutions was compelling. Until solutions were found, the cost would be enormous, not only in terms of the financial costs involved in the care and maintenance of refugees, but also in terms of the cost in human potential. It was obvious that repatriation in safety remained the pre-eminent solution. It was increasingly recognized that additional international efforts would be required to create the necessary conditions to achieve voluntary repatriation, involving efforts at the political level, targeted development assistance, or other strategies designed to create conditions of security and stability which would facilitate the return of citizens to their country. However, it was not possible to wait until the countries of origin had been transformed socially and economically before taking any action to encourage such returns.

63. As the High Commissioner had pointed out in his statement, there was a further category of migratory flows with which UNHCR would have to come to terms, namely, the interregional migratory flows from the developing to the developed world. Owing to the revolution in global communications, the stark contrast between living standards in the developed and the developing worlds was now apparent to all, and larger numbers of people, aware of that contrast, now desired to move to a country which in their perception offered better opportunities. While it was true that everyone had the right to leave his own country, it was equally true that few Governments would be prepared to abandon their sovereign right to authorize, or not to authorize, entry into and resident within their territory. Those people whose real intent was migration should therefore observe the normal migration procedures. The difficulty

there was to ensure that refugees caught up in such population flows were given all necessary protection. That would not be achieved by widening the scope of protection to embrace everyone, whether refugee or not; indeed to do so would imperil refugees themselves, as the High Commissioner had also pointed out. While concern for the plight of non-refugees was legitimate, it was necessary to distinguish refugees and non-refugees, and to work towards wider international agreement on the need and the logic of returning non-refugees to their country of origin. In dealing with thinly-veiled migratory movements in the form of asylum claims, it should be made clear that the options available would be far fewer than those offered to refugees, and that normal migration processes must be followed. In his view, consideration of those issues and the applicable régime might be an appropriate reference for the working group on protection and durable solutions. He hoped that those questions would be taken up when the group's terms of reference were discussed, and also hoped that UNHCR would continue to provide the working group with the resources it needed.

64. In any discussion of that nature, consideration of the need for international burden-sharing was unavoidable. The asylum countries carried the major burden of refugees and asylum seekers. It was not fair that accidents of geography or history should lead to particular countries bearing an unequal load. The refugee problem concerned the international community as a whole. All first asylum countries, whether developed or developing, should have an assurance that they would not have to harbour large populations unassisted or indefinitely. The practice of asylum was fundamental to international order. It was the essential precondition for fulfilling one of the central obligations of the Convention, that of non-refoulement and protection of refugees.

65. When UNHCR and the international community addressed refugee issues, it must be explicitly recognized that the principles of the Convention were, in the long run workable only if it was also accepted that States had a responsibility towards their own nationals. Countries of origin must also be involved in the search for solutions.

66. To deal with the contemporary mass movements of people, there was a need of comprehensive and workable strategies, which would address all the elements involved. The High Commissioner had focused on that point in his statement, as had the discussions in the Sub-Committee of the Whole on International Protection. His delegation endorsed the conclusions reached by the informal consultations on asylum seekers on those very important issues. It believed that the Comprehensive Plan of Action (CPA), developed as a result of the International Conference on Indo-Chinese Refugees convened by UNHCR in 1989, was a useful model of a comprehensive approach to the problem of population movements in one region.

67. While the solution contemplated for one particular situation might vary according to the various elements involved, the key to success was that all parties concerned should work together to produce a comprehensive solution. The unparalleled role played by non-governmental organizations, notably in increasing public awareness of refugee issues, must also be taken into account.

68. He welcomed the approach taken by the High Commissioner and his deputy in addressing the financial and philosophical problems confronting UNHCR, and also welcomed his recognition that new strategies were needed to deal with them. He was confident that the focus of effort already established in that regard would be maintained.

The meeting rose at 1 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-first session

SUMMARY RECORD OF THE 454th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 1 October 1990, at 3 p.m.

Chairman: Mr. AZIKIWE (Nigeria)

CONTENTS

General debate (continued)

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The meeting was called to order at 3.15 p.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Mr. di LORENZO BADIA (Italy), speaking on behalf of the European Community and its 12 member States, recalled their growing and vital role in the activities of UNHCR in support of the High Commissioner's work, respect for the fundamental principles of asylum and as major financial contributors to UNHCR programmes. The member States wished to reaffirm that commitment. They also wished to express their appreciation of the great generosity of the countries of first asylum, in hosting millions of refugees despite the heavy cost and burden on their economies.

2. Since the previous session of the Executive Committee, there had been positive trends in various regions of the world, particularly in some parts of Africa and Central America, where favourable developments offered prospects for voluntary repatriation. There were also hopeful prospects for Cambodia. However, some difficult situations remained, for example, in Afghanistan, where a humane and lasting solution still had to be found for millions of refugees. There were new internal conflicts, such as in Liberia, which had led to new waves of refugees, thus increasing the total number of refugees and asylum seekers, in the world, according to UNHCR estimates, from 13 million to 15 million in one year. The member States of the Community also felt deep and humanitarian concern at the developments in Iraq and Kuwait, which hundreds of thousands of third country nationals were leaving in anguish and disarray.

3. They acknowledged the efforts that had been made by the High Commissioner and the staff of UNHCR in implementing the directives adopted by the Executive Committee. Balanced finances seemed to be within reasonable reach. They regarded such a financial organization as a difficult but necessary step which would enable the Office to continue its work with greater efficiency and cost-effectiveness. The lesson to be learned from the difficulties of the past year was that it was above all in the long-term interest of the refugees that the Office should operate within available resources. The financial crisis, which had affected the Office, was not the result of less generosity on the part of traditional donors but rather to a dramatic increase in refugee needs and demands on UNHCR. The member States of the Community appealed to the international community and in particular those countries which, although very wealthy had not made any significant contribution to respond generously in sharing the common responsibility for assisting the millions of refugees in the world and encouraged the High Commissioner to pursue efforts to widen the circle of donors as well as to seek a more reasonable burden-sharing among traditional donors. They welcomed the fact that the expenditure target for 1991 for the general programmes met the criteria of caution and supported the proposals aimed at reducing administrative expenditure. A better distribution of burdens by mobilizing the efforts of the other agencies of the United Nations system was also necessary in order to complement the efforts being made by UNHCR.

4. The Community and its member States had participated actively in the Executive Committee's Temporary Working Group and they regarded its results and recommendations as positive and useful in redirecting the Office along more efficient lines. As far as the remaining financial difficulties were concerned, they would continue to work closely with the High Commissioner to help to alleviate the situation as much as possible. They realized that the

sacrifices made to restore balance to UNHCR's accounts had severely weakened the Office's capacity to respond to emergencies and they hoped that the High Commissioner would be given the possibility to restore the necessary margin of flexibility in order better to meet the challenges of the years ahead.

5. Over the past year, profound changes had affected the international situation in which UNHCR had to operate: a process of liberalization and democratization was under way in Eastern Europe, which the Community and its member States welcomed with hope and trust. At the same time, there were in the world even stronger trends indicating that major migratory movements could be expected and would constitute an ever more important aspect of international relations. In the Community's countries a large majority of asylum-seekers were found not to be refugees within the meaning of the 1951 Convention relating to the Status of Refugees. While the member States of the Community reconfirmed their adherence to the Geneva Convention and the 1967 Additional Protocol, they reiterated their great concern about the consequences of the disturbing increase in the manifestly unfounded asylum requests.

6. Consequently, they noted with great interest the convening of a working group to examine protection and solutions. The working group would provide an opportunity of dealing in a more up to date, comprehensive and coherent way with general refugee problems. As to the issues of prevention and voluntary return, the responsibility of the country of origin had now to be addressed more intensively than hitherto. Regional organizations and bodies should contribute more actively to the resolution of problems in their regions. Attention must also be given to the removal of the causes of streams of asylum-seekers and the member States of the Community wished to underline the Commission of the European Community's initiative to assist, inter alia, the reintegration of boat people returning to Viet Nam.

7. Protection was, without doubt, the main responsibility in the High Commissioner's mandate. The member States of the Community condemned all violations of the principles of asylum and the rights of refugees and supported any initiative by the High Commissioner to recall that States were responsible for the respect of basic standards. At the same time, they called for further accessions to the 1951 Convention relating to the Status of Refugees and its 1967 Additional Protocol and for the withdrawal of any existing reservations to those instruments.

8. The countries of the Community believed that the problems of protection should be considered in a more thorough and dynamic way. The situations which gave rise to refugee flows were those marked by multiple violations of human rights and it would not be possible to identify the fundamental reasons for such refugee movements unless they could be seen against the background of violations of those rights. In addition to their traditional form, those rights should also be seen in their economic, social and cultural aspects. A close connection should therefore exist between refugee problems and development aid, and the need for improved international co-operation and solidarity. It was clear that a more accurate assessment and fulfilment of the responsibility of the State of origin was needed, before any effective results could be achieved.

9. The fortieth anniversary of the 1951 Convention would be an occasion for the international community to reiterate its concern for refugees and its support for the Office of the High Commissioner. As in the past, the European Community and the member States would play their full part.

10. Ms. LAFONTANT MANKARIOUS (United States of America) acknowledged the prudent and responsible leadership of the Office within the fiscal constraints of the past year. UNHCR had achieved a balance between operating within the approved budget and meeting the essential needs of refugees. As a result of the work of the Ad Hoc Review Group in determining the most efficient and effective structure and the outstanding support given to the Temporary Working Group UNHCR and its Executive Committee were re-establishing confidence after a period of crisis.

11. Democratic reforms in some parts of the world had eased tensions significantly and improved prospects for solutions to some refugee problems. Her delegation fully supported the repatriation and reintegration of Nicaraguan and Salvadorian citizens; that was a major contribution to restoring stability in the region. It also wholeheartedly supported the pilot porgramme of assistance to Afghan returnees and applauded UNHCR's efforts to facilitate voluntary repatriation in safety and dignity. It further supported UNHCR's programme of durable solutions for Ethiopian refugees in Somalia, to which the United States of America had already contributed $700,000 and to which it intended to make a further substantial contribution.

12. Her delegation hoped that 1991 would bring more political solutions to countries like Cambodia and Mozambique, to permit refugees to return home soon. With regard to South-East Asia she commended the High Commissioner's tireless efforts to implement fully the Comprehensive Plan of Action and hoped that there would be a continued international consensus in addressing the plight of the Vietnamese boat people.

13. Monumental challenges still remained, however, as new and continuing refugee problems plagued several parts of the world. The continued outflow of Mozambicans had increased their number in exile to well over one million. In Liberia, over 500,000 people had fled to neighbouring countries of asylum. Increasing number of refugees could be expected from Iraq and Kuwait. In the meantime, UNHCR was playing an appropriate role in co-operation with the Office of the United Nations Disaster Relief Co-ordinator (UNDRO) and the International Organization for Migration (IOM) in the Gulf emergency. Her delegation was also seriously concerned about the dramatic increase in the numbers of refugees from Sri Lanka, Myanmar and Tibet.

14. Her delegation suggested a number of measures to improve UNHCR's emergency response capability: consideration of an increase in the Emergency Fund and an increase in the emergency authorization, currently set at $4 million; staffing arrangements to enable prompt deployment of human resources whenever an emergency arose; stockpiling of basic relief items in sufficient quantities at appropriate locations; agreements providing for quick draw-down by UNHCR of governmental and non-governmental expertise in the initial needs assessment and programme design.

15. The proposed 1991 programme and budget showed that careful attention had been paid to cost controls. However, her delegation was compelled to express its concern that priorities should be established and resources allocated in

such a way that the essential life-saving needs of refugees could be met within those budgets. With that assurance, her delegation would be able to support the proposed budgets.

16. The amount of $95 million or 54 per cent of the proposed care and maintenance budget was devoted to programmes in Africa. Several host countries had showed praiseworthy generosity to refugees in need of long-term care and maintenance. An outstanding example was Malawi, where the Government and people had taken in approximately 860,000 refugees, incurring $25 million in direct and indirect costs to its public expenditure programme.

17. The 1990 General Programme budget had been maintained at $378 million and UNHCR had also raised funds for some $120 million in emergency and special programmes. Her delegation was pleased to report that the United States had contributed $177 million in support of UNHCR programmes and President Bush had requested an increase in funds for international refugee assistance for 1991.

18. Her Government was also pleased to extend resettlement opportunities to well over 110,000 people in 1990. Consultations with the Congress were in the final stages about the number of people to be resettled in 1991 and her delegation confidently expected that the 1990 target would be exceeded, not, however, at the expense of the request for increased funding for international assistance.

19. The documentation prepared by UNHCR on the subject of refugee women had been elaborated in a most helpful way. Under well-established international standards, women were entitled to equal treatment with men; for refugee women, equal treatment included the right to determination of status, physical security and material assistance without having to provide favours, sexual, monetary or otherwise in exchange for their refugee rights. Her delegation was concerned about the incidents of harassment and intimidation of the staff of non-governmental organizations engaged in projects on behalf of Afghan refugee women. It congratulated the Government of Pakistan on its vigorous efforts to protect those workers and the women on whose behalf they worked. It deplored the violence which continued to be perpetrated against Vietnamese boat people, but especially against the women among them, on the South China Sea. Her delegation was heartened, however, by the efforts of the Government of Thailand, in co-operation with UNHCR, to apprehend and convict the pirates who committed those acts.

20. Her delegation commended UNHCR for the development of staff training on gender impact analysis. The measure was likely to bring positive change in the ways in which UNHCR responded to the needs and aspirations of millions of refugee women.

21. In conclusion, her delegation commended UNHCR in particular and the United Nations in general. Recent events around the world had shown the United Nations at its best and in the past year, under the leadership of High Commissioner Stoltenberg, UNHCR had had an enhanced and vital role in improving the condition of the world's refugees.

22. Mr. SEKHONYANA (Lesotho) said that the attainment of peace and justice was the most important step towards solving the refugee problem because once they were attained the world would be able to devote its energies to development and to curbing the ever-increasing number of refugees.

23. His delegation had witnessed with gratitude the momentous historical events unfolding in the world. The ban had been lifted on liberation movements in South Africa and political prisoners like Nelson Mandela had been released. An Indemnity Bill had been passed in April 1990 which facilitated the granting of indemnity against arrest, detention and prosecution to South African refugees as a move towards reconciliation. It was clear that apartheid, the root cause of the displacement of the South African people, had had its day. Another significant event was the fact that three out of the four bantustan/homelands leaders were willing to be re-incorporated into South Africa so that the country could unite again as one nation. His delegation looked forward to the declaration by South Africa of a general amnesty.

24. The changing political situation in South Africa, would inevitably reduce the influx of refugees into Lesotho, thereby easing the burden on his country's meagre resources. He commended UNHCR on its role in the United Nations settlement plan for Namibia and thanked the other international organizations and the international community for their contribution to Namibian independence.

25. His delegation was, however, greatly concerned at the events in the Gulf and West Africa and, in particular, in Liberia. He feared that if the violence based on rivalry between blacks and blacks in South Africa was unchecked, it would lead to complete chaos and to an inevitable influx of refugees into Lesotho and other neighbouring States. While it acknowledged the budget constraints which had led to the adoption of cost-reducing measures it urged that volatile situations such as that prevailing in South Africa should not be overlooked.

26. Lesotho fully endorsed the 1969 OAU Convention on Human Rights and the 1951 Geneva Convention. His country would continue to receive refugees and to abide by its policy to integrate them fully into its society until the conditions in their countries of origin enabled them to return home voluntarily.

27. In conclusion, his delegation appealed to the international community to strive for lasting solutions to the refugee problem and to the donor countries to assist in UNHCR's resettlement programmes.

28. Mr. GARBA (Nigeria) said that the past year had marked a watershed in the 40 years' history of UNHCR. According to available statistics, the number of refugees, which had been 12 million in 1989, had risen to 15 million in 1990. That dramatic increase coincided with the most acute financial crisis ever faced by UNHCR. Even more disturbing was the fact that the vast majority of the refugees, who were mostly women and children, were hosted by some of the least developed countries, where their presence had added an undue burden to already fragile economies. Nigeria expressed its appreciation to those asylum States for their steadfast support for less fortunate people who stood in need of urgent international protection and assistance.

29. Nevertheless, certain positive trends were emerging in the search for durable solutions. In that connection, his delegation recalled with great satisfaction the commendable efforts made by the international community, and especially by UNHCR, in the Namibia repatriation programme, the successful completion of which served as a glowing testimony to what could be

accomplished through international solidarity and co-operation. His delegation was also pleased with the results achieved at the first international meeting of the International Conference on Central American Refugees (CIREFCA) Follow-up Committee, and his delegation wished to place on record its appreciation to the Executive Committee on the successful convening of the extraordinary session in May 1990 and to commend the efforts of the Temporary Working Group. The decisions reached at the extraordinary session were already being implemented by UNHCR, as could be seen in the noticeable improvements in the management of existing resources.

30. That approach was in conformity with the High Commissioner's own six-pillar strategy. In furtherance of the search for durable solutions, Nigeria urged the international community to give the High Commissioner full support in the implementation of the strategy, in particular by broadening UNHCR's donor base and by expediting voluntary repatriations whenever the opportunity arose.

31. His delegation also endorsed the call for an increase in the funding of UNHCR's administrative costs from the United Nations regular budget. However, the level of the envisaged increase from the regular budget, although symbolically significant, was not enough by itself to fill the huge shortfall in UNHCR's annual programme budget. His delegation therefore urged that other measures, as identified by the Secretariat, be pursued vigorously. In particular, Nigeria recognized the prominent roles that other bodies, both within and outside the United Nations system, could play in refugee-related activities.

32. With so many positive measures being put in place, his delegation believed that UNHCR and the Executive Committee were on the right track. As UNHCR followed up the efforts to make the Office more efficient and cost-effective, it was to be hoped that progress would be recorded in programme delivery, especially in those areas where durable solutions were held up owing to lack of adequate resources. Programmes that easily came to mind included the projects related to the resettlement of refugees and returnees in Somalia, Ethiopia, Sudan and in the Middle East. His delegation also drew particular attention to the plight of the Liberian refugees in Côte d'Ivoire, the Republic of Guinea and Sierra Leone.

33. Finally, he wished to reiterate his Government's commitment to the humanitarian ideals of UNHCR. As a demonstration of that commitment, in December 1989 Nigeria had adopted the National Commission for Refugees Decree (1989). The Commission was charged with responsibility for laying down general guidelines and overall policy on issues relating to refugees and persons seeking asylum in Nigeria. The High Commissioner could rest assured of Nigeria's continued support both in the provision of protection and assistance to refugees and in the search for durable solutions. In that connection it looked forward to an active participation by all concerned in the proceedings of the working group on protection and durable solutions.

34. Mr. KETSELA (Observer for Ethiopia) said that while highly significant political changes had taken place in the world since the fortieth session of the Executive Committee, the refugee situation in the Horn of Africa in general and in Ethiopia in particular still remained intractable. The influx of refugees from both Somalia and Sudan had continued unabated, giving additional weight to the political, economic, social and ecological burden

that Ethiopia was forced to shoulder with its very weak socio-economic infrastructural base. It was currently hosting approximately 390,000 Sudanese refugees and over 385,000 Somali refugees, making a total refugee population of 775,000, as compared with a refugee caseload of 65,000 in 1984.

35. Ethiopia was not merely a least developed country, but also one of the poorest of the poor. In view of that, the burdens and sacrifices involved in hosting the large caseload of refugees had become far too excessive. Ethiopia was a constant victim of a debilitating cyclical drought and resultant famine, further aggravated by crippling factors such as soil erosion and degradation, extensive deforestation and locust plagues, coupled with an explosive rate of population growth. The life of a considerable proportion of the local population was no better than that of the refugees whom Ethiopia was striving to assist.

36. Despite all those grim facts and constraints, however, as a signatory to all the main international and regional legal instruments governing refugee affairs, Ethiopia had been making every effort to discharge its humanitarian obligations, at enormous cost. There had been some problems in the distribution of food, but they had now been resolved through the introduction of a new delivery system for family groups worked out in close consultation with UNHCR. There had also been a significant improvement in the health and nutritional status, as well as the mortality rate, of both Sudanese and Somali refugees. The rate of malnutrition had actually decreased to half the rate for nationals. Ethiopia's endeavours in the health and nutrition sector over the coming year would focus on the reduction, or at least the maintenance, of low mortality and malnutrition rates through the introduction of a decentralized and community-based outreach health care programme. Although the presence of an estimated 50,000 unassisted Somali refugees had been an issue of grave concern, Ethiopia was currently trying to make arrangements, in close consultation with UNHCR and WFP, to incorporate them into the formally registered refugee population entitled to the standard package of assistance.

37. The vast refugee communities in Ethiopia were located in very remote and undeveloped peripheral areas that had once been sparsely populated. Until recent times, the western peripheral areas had been endowed with vast stretches of dense river bank forests, tall grasses and acacia trees. Wild life had also been abundant. However, owing to the presence of the refugee community, large areas in the region were already deprived of their vegetation, owing to the burning of the grass and bush for the purpose of primitive farming, hunting and grazing. The felling of trees for firewood and construction purposes by the refugees and the subjection of scarce natural resources to irrational exploitation had set in motion a consistent process of ecological disruption and environmental degradation that had apparently become irreversible unless the international donor community came to the rescue.

38. While there had long been an acute shortage of basic commodities and services in the country, Ethiopians continued to share the meagre supplies available with the refugee community, at the cost of still greater deprivation. Health and water supply services were inadequate by all reasonable measures to cater even for the local population, but they were still shared with the refugee community. The hostile ecology in the eastern part of Ethiopia, where all the Somali refugee camps were located, was accentuated by the total lack of groundwater in the vicinity of the refugee camps. For instance, the 234,888 Somali refugees in Hartisheik relied totally on water supplies

transported every day over long distances by tankers from Jijiga. Almost irreparable damage was being caused to the already poor road network in the area, while the water supplied to the refugees was literally taken out of the mouths of the population of Jijiga. Unfortunately, however, despite all those exertions the per capita supply of water in Hartisheik did not exceed three litres a day, posing a major threat to the health of the refugee population.

39. A paradoxical situation had emerged in western Ethiopia as a result of the influx of Sudanese refugees. In the Gambella administrative region, the ratio of Sudanese refugees to the local population was currently estimated to be approximately 4:1. The influx showed no sign of abating. His Government had therefore been forced to decide, in consultation with UNHCR, to close the two refugee camps at Itang and Pugnido to new arrivals as of 31 December 1990. Accordingly, it had been planned to earmark a site outside Gambella for development into a refugee settlement for the reception and assistance of new arrivals in future.

40. There could be no denying that the impact of the refugee burden was being felt rather deeply in Ethiopia. To say the least, it was paradoxical that when Ethiopia's needs were becoming broader and more pressing, UNHCR should enter into serious financial constraints entailing selective downward budgetary revisions. The direct impact of that phenomenon on relief operations had been to jeopardize the minimal requirements for the survival of the refugees. It was therefore imperative that endeavours be stepped up for the speedy implementation of the objectives of ICARA-II. The real issue was to realize the additional economic, social and ecological burden thrown upon asylum countries like Ethiopia and to embark upon a refugee aid and development programme. The development of refugee-affected areas called for the undivided attention of donor Governments and development agencies if a durable solution to the refugee problem was to be brought about.

41. Ethiopia had consistently advocated voluntary repatriation as the most desirable solution and had taken concrete steps to facilitate the return of its own nationals. The successful repatriation of more than 33,000 Ethiopian refugees from the Republic of Djibouti was a vivid example. Ethiopia had lately taken advantage of the favourable political climate prevailing in the region and had embarked on a large-scale returnee programme. On the basis of the Tripartite Agreement reached in December 1989 between the Governments of Ethiopia and Somalia and UNHCR, with WFP participating as an observer, Ethiopia was now at the height of its endeavour to repatriate voluntarily 160,000 Ethiopian refugees from Somalia. Unfortunately, that programme had been seriously affected by UNHCR's financial crisis. Nevertheless, it had been possible to repatriate the first batch of returnees by using a fund of $US 700,000 generously donated by the United States Government for that purpose. Much as the assistance provided to Ethiopia was appreciated, his Government had to admit that what had been provided to date fell far short of the requirements.

42. The onerous burden which his country was shouldering was multidimensional and too heavy for Ethiopia to bear on its own. Although it was endeavouring to the utmost to discharge its humanitarian obligations, Ethiopia was in a situation in which an urgent need had emerged to launch a rescue operation to make good the ecological, economic, social and even political damage sustained by the hosting of a massive influx of refugees. The care and maintenance assistance being provided to refugees and the rehabilitation assistance being

provided to returnees must also be augmented with assistance for sustained development in the spirit of ICARA-I and II and the report of the IFAD/UNHCR mission in the Ogaden so that it would in the long run benefit not only the refugee and returnee communities but also the local population at large. Such an operation required intensive and extensive international support. In pragmatic terms, the issue was one of equitable burden-sharing. The welfare of the vast refugee community in Ethiopia was a global responsibility which called for the collective efforts of all countries and Governments. The future of refugees lay in the hands of the international donor community. Neglect of such vital areas of assistance as education, training and development was a matter of grave concern. Thanks were due to UNHCR, donor Governments and non-governmental and intergovernmental organizations for all the assistance which they have provided to refugees and returnees in Ethiopia, which his Government hoped would be revitalized by UNHCR and the international donor community at large.

43. Mr. SHANNON (Canada) expressed his appreciation to the High Commissioner and to the Deputy High Commissioner for their vigorous performance since their assumption of office at the beginning of the year. They had swiftly brought a new sense of order and purpose to UNHCR, particularly by the thoroughness of the measures that had been taken so far to try to bring expenditures under control and in line with income. The Temporary Working Group, under the skilful guidance of Mr. Dannenbring, had examined the financial and administrative mechanisms of the Office and had made recommendations which, the Canadian delegation believed, must be pursued with vigour.

44. Quite apart from the financial difficulties which beset UNHCR, the past year had not been an easy one. Refugee problems in several areas of the world had persisted, and two new situations had arisen in West Africa and the Middle East. In particular, the world's reaction to the events in the Middle East had been mirrored in the unprecedented sense of commitment and unity demonstrated by the Security Council's decisions and had been expressed in the very generous response to appeals launched by international organizations to help the persons displaced as a result of the Iraqi invasion of Kuwait. The fact that agencies other than UNHCR had taken on the task of on-the-spot relief and of organizing the rapid return home of the displaced contract workers did not diminish the role of UNHCR. On the contrary, it was evidence of a mature and rational division of responsibilities in the international system of relief.

45. As he had done so appropriately in the situation in the Middle East, by drawing a clear distinction between his own mandate and those of other agencies the High Commissioner was ensuring that he would conserve his resources for use in situations which clearly fell within his mandate. For example, UNHCR should have the lead responsibility for the repatriation and safety of South African refugees and exiles, as the General Assembly had recently requested, leaving their later resettlement mainly to South African organizations. His delegation urged all concerned parties in South Africa, as well as donors, to extend their full support to UNHCR in carrying out those vital responsibilities.

46. In the light of continuing refugee problems, it was clear that there could as yet be no hope that the international community would soon be able to envisage a world with no further need for the services of UNHCR. At the same time, however, it was clear that now, more than ever before, UNHCR's role must

be precisely defined and its responsibilities sharply focused. Tens of millions of people were on the move around the world, some because their lives or their freedom were in peril, but many others because they saw greater personal opportunities outside their own countries, as the High Commissioner had recognized in his note on international protection. In Canada's view the migratory or abusive element in the flow of asylum-seekers, although marginal in some areas, predominated in others to the point where it threatened to undermine the refugee protection mechanisms so painstakingly developed over the past 40 years. A line must be drawn somewhere in the spectrum between desperate flight from persecution and the understandable desire for economic progress. That line divided those who required the protection of the international community, and therefore of UNHCR, from those who did not, and was drawn by the definition of a refugee contained in the 1951 Convention.

47. The difficulty facing UNHCR and many of the Governments represented in the Executive Committee was, however, that the "prize" of Convention refugee status, as perceived by many asylum-seekers, might offer more than protection from persecution, in so far as it often also provided material compensation disproportionate to that available to other categories of migrants and displaced persons. That came about because Governments attempted to offer to refugees standards of material well-being equivalent to those enjoyed by their own citizens.

48. In the developing countries, enormous efforts were made, within the very limited means available, to ensure that large refugee populations received at least the minimum necessary to maintain human dignity and acceptable material standards. The Governments of the industrialized nations similarly felt a duty to provide Convention refugees in their territory with standards equivalent to those of their own populations. In that case, the perceived "prize" was considerable enough to encourage claims for refugee status from many persons not genuinely in need of the protection provided by the 1951 Convention.

49. There should be no misunderstanding. Canada remained firmly convinced that Convention refugees must receive all due protection and assistance from States and from UNHCR. Therefore if it were not for the huge cost involved, the effects of abusive claims for refugee status would be a question of concern mainly to the Governments of the developed countries affected. The Government of Canada alone now spent more each year on asylum-seekers and refugees than did UNHCR on its world-wide activities. Asylum-seekers and refugees in the developed countries now represented an increasingly significant share of the asylum-seekers and refugees in the world. The resources that they consumed on a per capita basis far exceeded those available to refugees elsewhere in the world. In developed countries it was estimated that $15,000 had been spent in 1989 on each of 400,000 asylum-seekers. By contrast, UNHCR had available only $40 for each refugee under its care.

50. Canada was one of the very few countries which was active on all major refugee fronts. It was a major donor to UNHCR, and it had increased its contributions by over 50 per cent in 1990. It was one of the principal countries of resettlement, having accepted nearly 40,000 persons in 1989. The cost of resettlement amounted to hundreds of millions of dollars annually. Resettlement would continue, even though 1990 had marked the end of an era for Canada, since significant changes had been made to the law pertaining to

refugees from eastern Europe and South-East Asia, who would now have to meet the Convention definition in order to be eligible for resettlement in Canada. In recent years Canada had also become a country of first asylum on a large scale: in 1990 it expected to receive as many as 35,000 asylum-seekers.

51. From that perspective, Canada's analysis was that global migration pressures, including pressure from refugees, asylum-seekers and economic migrants, had reached a critical point. Under them, the distinction between those who needed the protection of the international community and those who did not had already become blurred. That was now one of the major problems confronting the world, and there was every indication that it would become even more important in the coming decade. Assistance to those truly in need of protection was not the issue. The first concern must be the concentration of scarce resources where they were needed, for the benefit of refugees. It was clear that the total resource-demand implications of truly massive population flows would be enormous, and that difficult, and sometimes painful, choices would have to be made. In the face of such choices, countries and agencies concerned for refugees needed to reaffirm the fundamentals of refugee policy, including the principles of non-refoulement, first asylum and international burden-sharing.

52. Proceeding from those fundamentals, it was increasingly evident that the problem of refugees, asylum-seekers and general migration pressures would have to be approached from a global, multidisciplinary vantage point. His delegation was therefore pleased to note that new and creative thinking on the refugee issue was already under way. The Comprehensive Plan of Action for South-East Asia represented the first example of a truly comprehensive international strategy developed to deal with a regional refugee problem, a prototype for the development of other comprehensive regional or international strategies. The successful management and resolution of refugee situations and associated migration pressures would require such bold and innovative thinking, both at the national and at the international levels. Just as UNHCR had played a vital role in the creation of the Comprehensive Plan of Action, his delegation hoped that it would continue to play a key role as the world confronted new problems, both in terms of policy interpretation and development and in terms of on-the-ground refugee situations.

53. Mr. FAN Guoxiang (China) said that together with the trend of détente in certain regional conflicts, the accompanying refugee problems had been settled or shown positive signs of settlement. Refugees from Namibia had returned to their homeland, thus bringing their prolonged tragedy to an end. The peace process in Central America had brought heartening progress towards the voluntary repatriation of refugees in that area.

54. However, it was not possible to ignore the fact that the world refugee situation had worsened and that there were 15 million refugees and asylum-seekers. The problem of the millions of Afghan refugees still defied solution. The number of displaced persons and refugees in Africa continued to increase. The problem of Palestinian refugees offered no prospects of settlement. Meanwhile, the concern of certain countries and their assistance to refugees were decreasing. UNHCR was facing unprecedented financial difficulties, which had led to a continued downward revision of assistance programmes.

55. His country was concerned at the situation of Indo-Chinese refugees who had stayed in asylum countries for a long time. It supported the position adopted by ASEAN countries for resolving the Indo-Chinese refugee problem and considered that the Comprehensive Plan of Action should be implemented in its entirety. It hoped that the countries of origin would adopt strict measures to stop illegal outflows and take back their citizens who were found not to qualify as refugees. After more than 10 years, the Cambodian question had begun to show signs of a favourable change. With the common efforts of the five permanent members of the Security Council, the ASEAN countries and various Cambodian parties, a Supreme National Council has been established, thereby constituting a breakthrough in a political solution of the Cambodian question. His delegation welcomed that development and hoped for an early end to the tragic displacement of hundreds of thousands of Cambodian refugees.

56. With regard to the recent deteriorating situation in the Gulf, his country endorsed the resolutions adopted by the Security Council. It was deeply concerned at the predicament of the large number of persons displaced as a result of the crisis and the foreign nationals still detained in Kuwait and Iraq. In a humanitarian spirit, it urged that their physical safety, freedom and basic necessities be guaranteed. It supported the action taken by relevant United Nations bodies to provide relief assistance to the displaced persons. With a view to ensuring world peace and restoring peace and security in the Gulf region, his country hoped that the crisis would be solved through peaceful means.

57. The 1980s had witnessed enormous changes in the world refugee situation, an outstanding characteristic of which had been the massive outflow of refugees, posing a serious challenge to the international community both politically and economically. Racist policies, foreign aggression and occupation had been major causes of that situation. To tackle the refugee problem, the international community had sought to eliminate the root causes and had achieved much through concerted efforts.

58. In the 1990s, the international community should devote greater attention to the refugee issue. It should continue to search for solutions to existing problems, assist and guarantee the safe return of refugees to their homeland and adopt effective measures to prevent the emergence of new refugee issues.

59. In striving to prevent new refugee flows, the international community should continue its efforts to promote world peace and security, oppose racial discrimination, apartheid, foreign aggression and occupation, eliminate the North-South economic gap and alleviate the economic difficulties of developing countries.

60. The solution to the refugee problem was in the common interest of all mankind and therefore called for the joint efforts of asylum countries, resettlement countries, countries of origin and donor countries. His delegation appreciated the efforts made by the developing countries and recognized that their sacrifices and contributions had often surpassed their economic and social capabilities. It was in favour of implementing on a continuing basis the programmes of action adopted at the international conferences on refugee issues in southern Africa, Indo-China and Central America and the follow-up actions of the Second International Conference on Assistance to Refugees in Africa. Over the years, the

traditional donor countries, especially the major countries, had provided substantial cash contributions and material aid, which deserved appreciation from the international community.

61. He expressed his delegation's deep concern over the further cut in assistance programmes during the current year. In his view, the formulation and assessment of programmes should be based on the real needs of refugees. A reduction in programmes intended to ensure the livelihood of refugees and promote their employment and self-reliance was bound to have a direct influence on their livelihood, which would in turn create new economic and social problems for the recipient countries and the international community as a whole. The solution should therefore lie in strengthened international co-operation and expansion of financial resources coupled with more vigorous efforts aimed at improving programme management and reducing administrative costs. In that connection, his delegation had taken note of the positive recommendations contained in the report of the Working Group adopted at the extraordinary Executive Committee session in May 1990. His delegation appreciated and supported UNHCR's efforts to implement those recommendations and expected the Office to pursue its work by adopting more concrete measures with a view to obtaining greater success in the future.

62. Mr. LUMBANGA (United Republic of Tanzania) said that his country had long played host to countless refugees, a hospitality which was not without sacrifices. Tanzania's economic base had been crippled due to factors beyond its control, but that state of affairs had not hampered its noble devotion to the refugee situation. However, the international community had not done much to help it to restore its depleted environment as a result of its decision to welcome refugees. In that connection, he said that in the refugee areas there was an urgent need to rehabilitate the connecting roads between refugee settlements and market and town centres where the refugees sold their surplus produce for income. The regions of Tabora, Kigoma and Rukwa were to have been rehabilitated in accordance with decisions taken at the Second International Conference on Assistance to Refugees in Africa (ICARA II) for which some donors had pledged funding but had decided not to honour their pledges. Those settlements would be completely cut off when the heavy rains came in December. His delegation therefore requested the donor countries concerned to honour their earlier pledges.

63. While voluntary repatriation remained the best of the three durable solutions, it appeared the most difficult to achieve on a large scale. His delegation therefore thought that concerted efforts should be made to determine how best refugee-producing countries could ease the situation. He requested the High Commissioner to assist his Government in setting up a tripartite commission to discuss the voluntary repatriation of refugees.

64. Referring to a conclusion reached at the previous session of the Committee that education should be linked with durable solutions, he said that the impact of the current financial crisis had already had an adverse effect, particularly on educational assistance projects. The assistance given to a number of students with regard to residential and examination fees, field and book allowances had ceased, thereby leaving the students stranded. That was a gap which neither the refugee students nor the Government concerned could bridge owing to other commitments. However, his Government had decided to treat refugees attending primary and secondary educational schools on a par

with nationals with regard to school fees. UNHCR should therefore use the savings thus achieved to cater for those attending higher educational institutions.

65. He stressed the need to increase efforts to ensure the implementation of General Assembly resolution 44/37, which called for greater inter-agency co-operation in addressing the needs of refugees. Although a major achievement of ICARA II had been the recognition of the problem of African refugees as an international responsibility and the universal acceptance of the concept of "additionality" of aid in favour of countries hosting large numbers of refugees, nothing much was being done. In that connection, he said that the Mpanda Hospital, which was in a district of Tanzania where more than 50 per cent of the total population consisted of refugees, was to have been strengthened under the Refugee Aid and Development concept and funded by UNHCR, UNDP and EEC. While UNHCR and UNDP had honoured their obligations, EEC had not yet done so despite frequent appeals from both UNHCR and his Government. He therefore requested the personal assistance of the High Commissioner in resolving that long outstanding issue.

66. With regard to the handed-over settlements, he requested the High Commissioner to provide some minimal support in order to sustain a reasonable degree of self-reliance. For instance, vehicles intended to assist settlement administration had been handed over together with the settlements upon project completion in the late 1970s and early 1980s but had never been replaced.

67. Recent changes on the international scene such as the Gulf crisis had greatly affected economic stability in the world. The effects of that state of affairs on asylum countries such as Tanzania were even more devastating. Therefore, the international community should increase assistance to countries hosting large numbers of refugees.

68. In granting asylum, his country would be guided by its considerable experience in determining bona fide refugees. He stressed that those granted asylum must conform to their obligations as stated in the various international and regional instruments and other national legislation.

69. In conclusion, his delegation supported the 1990/1991 budget estimates requested by the High Commissioner for the general programmes.

70. Mr. VAERNO (Norway) said that while welcoming the Note on International Protection (A/AC.96/750), his delegation found that the document did not sufficiently echo the composite reality of mass movement and asylum seekers facing first-asylum countries. The Western countries alone expected an influx of 600,000 asylum seekers in 1990. Those growing irregular movements had a disturbing effect on co-ordinated international efforts to deal effectively with global refugee and refugee-related matters. It was appropriate that the document addressed human rights questions, since human rights violations in countries of origin often constituted a reason for flight and considerable responsibility therefore rested with those countries. Enhanced respect for human rights was undoubtedly an effective preventive measure in relation to the refugee problem. Accordingly, international development assistance should seek to promote positive human rights situations and target socio-economic difficulties that caused people to leave. Those elements were given priority in his country's development co-operation programmes. Those issues should be

more deeply considered by the working group on international protection and durable solutions, to be convened shortly. His delegation also suggested that the group should take due note of the proposed conclusions on refugee women and international protection. The particular protection needs of refugee children should also be examined.

71. Unfortunately, the implementation of the Comprehensive Plan of Action for Indo-Chinese refugees had only been a partial success. Failure to solve the question of return - other than voluntary - of those Vietnamese found not to be refugees had led to fears of a total collapse, and the High Commissioner's efforts to avoid such a breakdown were greatly appreciated. Recent developments indicating Viet Nam's willingness to receive persons in the category "those not opposed to return" from Hong Kong were therefore encouraging.

72. As a consequence of the failure to reach consensus on the question of repatriation of "screened-outs", the "rescue at sea" arrangement was in disarray. Lack of procedures to be followed in cases where Vietnamese were rescued at sea might lead to unnecessary loss of lives if ships masters should choose to avoid taking boatpeople "on board". The continued practice of "push-offs" violated international protection principles and must cease.

73. Referring to the profound changes taking place in Eastern and Central Europe, he noted that Hungary had already signed the 1951 Convention relating to the Status of Refugees as well as the 1967 Additional Protocol. Others had indicated that they would do so soon and had made it known that in the meantime they would observe the provisions of the two international instruments, which was highly encouraging as it would provide for the legal status of the refugee in the respective country of asylum. His delegation appealed to all countries of Eastern and Central Europe and other regions of the world to do likewise.

74. With respect to the serious financial situation facing UNHCR, the consensus achieved at the extraordinary session of the Executive Committee in May 1990 and the reorganization process within UNHCR had provided a better basis for future work. His delegation commended the High Commissioner and his staff for their efforts so far in implementing the conclusions of the May session and was confident that the process well under way would bring further results in both management and administration.

75. Efficient implementation of appropriate assistance to refugees depended on the availability of funds and funding mechanisms that allowed planning over a larger time period. Adequate programme delivery also depended on sufficient flexibility for UNHCR to initiate its work pending contributions to ongoing activities and new emergency situations. His delegation fully supported a decision by the Executive Committee on arrangements that would provide UNHCR with greater flexibility to that end. It was essential, at the same time, that pledges should be implemented at an early date to maintain the approved level of activities. It was his delegation's sincere hope that the principle of international burden-sharing in support of UNHCR would gain momentum. Norway had increased its contribution totalling approximately $30 million to the Office during the current year.

76. Referring to some of the positive results obtained during the past year, he said that two problems deserved specific mention, namely the successful repatriation to Namibia and a substantial return of refugees and displaced persons to their own countries in Central America. His delegation hoped that developments would allow for a similar return of refugees in safety and dignity from other conflict-stricken areas in the near future.

77. Mr. TADESSE (Observer, Organization of African Unity) said that in the same way that the 1980s had been aptly described as "a lost decade in development" for Africa, so could the same decade be described as "a tragic decade for refugees" in Africa, where there were 5 million refugees, or one third of the world's total refugee population, and 12 million displaced persons. Throughout the 1980s, Africa's refugee crisis had assumed unmanageable proportions, because the forces that reacted against one another to produce refugees there had been undermining UNHCR's efforts to promote durable and definitive solutions.

78. The refugee situation in Africa had also been steadily deteriorating not only because the number of refugees had been increasing but also because the gap between the needs of refugees and the resources available worldwide had been widening over the years.

79. Some of the developments which had taken place on the African continent since the Committee's meeting the previous year had of course been positive, while others had been quite disheartening. The positive ones had included: the voluntary repatriation to Namibia of more than 43,000 Namibians from 42 countries; Namibia's accession to independence; the release of Nelson Mandela and some other political prisoners; the opening of negotiations between the ANC and the Pretoria Government; and the rapprochement between Ethiopia and Somalia, which had set the stage for the possible repatriation of tens of thousands of Ethiopian refugees from Somalia to Ethiopia. Other positive developments were the voluntary repatriation of 50,000 Burundians; the two-way repatriation programme of refugees in Angola and Zaire, and the current initiatives by Uganda and Rwanda, under the auspices of UNHCR and OAU, to bring about the repatriation of Rwandese refugees living in Uganda.

80. On the other hand, Africa had witnessed the eruption of intra-State and inter-State conflicts resulting in the massive displacement of persons both within and between States. The worst cases of such human suffering had occurred in west Africa where roughly one-third of Liberia's population continued to flee into the neighbouring countries of Guinea, Côte D'Ivoire and Sierra Leone.

81. The Horn of Africa had also remained an area of concern both to the OAU and the international community at large as a result of a combination of civil strife and natural disasters. Southern Africa had also been a region of instability and human suffering attributable to the policies of apartheid in South Africa and Pretoria's acts of aggression against neighbouring States.

82. The extremely serious financial crisis facing UNHCR had resulted in direct budgetary cuts for country programmes in the midst of escalating refugee populations and in the suspension or total abandonment of projects in favour of refugees already under way.

83. The OAU recognized that the struggle which UNHCR, as a humanitarian organization, had been waging in order to protect the dignity of refugees bordered on heroism. However, those in a position to assist that humanitarian crusade were increasingly showing reluctance even to match their own earlier efforts of humanitarian solidarity at a time when the challenge was unprecedented. The OAU was concerned about the growing marginalization of UNHCR. It was convinced that UNHCR should be encouraged and supported to enable it to forge ahead with its noble and humanitarian task of caring for the world's uprooted communities.

84. Africa, for its part, was making efforts to offer even more assistance at a time when it was itself suffering both from economic adversities and from natural disasters. The sacrifices made by African countries on behalf of refugees were not always easy to quantify. For example, local communities in asylum countries, by tradition, offered hospitality to asylum-seekers in the early stages of an emergency, long before the international community arrived on the scene. Not only did asylum countries give land to refugees for settlement, they provided social services in the form of education, transportation and medical care, and took special measures to ensure the physical safety of refugees. Another factor that had to be borne in mind was the environmental damage suffered by asylum countries when refugees felled trees for firewood or house-building, or overgrazed their animals. In offering such assistance, African countries ran the risk of dislocating further their already dislocated economies.

85. For more than two decades, the OAU had been carrying out various activities to help to mitigate the problem of refugees on the continent. The Organization's Commission of Fifteen on Refugees and its Co-ordinating Committee on Assistance to Refugees in Africa had, in collaboration with UNHCR and the international community as a whole, established income-generating projects, granted scholarships, and provided financial assistance to refugees. The OAU was also making efforts to sensitize the international community to the problem, and to mobilize resources for humanitarian assistance.

86. Among the root causes of the refugee problem recently identified by the OAU Council of Ministers were South Africa's policy of apartheid, and its acts of destabilization and aggression against neighbouring States in the region; human rights abuses; inter-State conflicts; inter-communal strife; acts of subversion; wars of secession; ethnic, racial and religious intolerance; and finally, natural disasters. The Council had recognized the need for member States to address themselves to those root causes, as well as the need to ratify and to adhere to all international instruments on refugees, notably the African Charter on Human and Peoples' Rights. While reaffirming the principle of non-interference in the internal affairs of its member, the Council had stressed that that principle should not be interpreted as sanctioning indifference to human suffering in cases of grave conflict.

87. Since its inception, the aim of the OAU had been to establish norms which, if faithfully applied, would spare Africa from dangerous armed conflicts, violation of human rights and other abuses likely to force peaceful citizens into a life of exile. The challenge was how to ensure the implementation of those norms so that a climate of peace and security prevailed, enabling citizens of all OAU member States to become equal partners in their common pursuit of social and economic development.

88. The OAU Commission of Fifteen on Refugees, following a visit to some of the refugee camps in the Sudan in September, had issued a Declaration on Africa's refugee crisis, stating that in view of the critical economic situation facing the continent - a continent which included the majority of the world's least developed countries - Africa's capacity to handle its refugee problem was necessarily limited. The Commission therefore called upon the international community to re-examine the serious issue of the dwindling resources available for refugees in Africa. While African Governments were committed to doing all they could to eradicate the problem on their own continent, they could achieve little unless a partnership was forged between the international community on the one hand and African peoples and Governments on the other. With that end in view, the OAU would continue to try to sensitize the international community, and to urge it to show the necessary political will to respond more forcefully to the needs and aspirations of Africa's uprooted communities.

89. Mr. IDOYAGA (Observer for Uruguay) said he wished to take the opportunity to reiterate his Government's firm support for the principles embodied in the 1951 Convention relating to the Status of Refugees and in the 1967 Protocol thereto, as well as for the principles enshrined in the Universal Declaration of Human Rights and in other human rights instruments both within the United Nations system and in an inter-American context. His Government would continue to implement the provisions of those instruments, as well as to contribute, as far as its means allowed, to the development of international legislation for the protection of refugees.

90. Recent events in the Middle East had again demonstrated the importance of prompt assistance to displaced persons in difficult circumstances, as well as the urgent need to find lasting solutions to the problems of all those who suffered from the hardships of refugee status. Uruguay urged the international community to continue to support and strengthen UNHCR's activities on behalf of all those who had to face similar dramatic situations, as a clear demonstration of its will to implement the lofty principles of international humanitarian law. His delegation wished to express its particular support for the efforts of the International Conference on Central America Refugees (CIREFCA) to find lasting solutions for the problems of Central American refugees, efforts which could have profound consequences for peace in the region.

91. The presence of an enlarged delegation demonstrated the interest of the Government of Uruguay in the work of the Office of the High Commissioner. He would like to take the opportunity to request that in 1991 observers for Uruguay should be authorized to attend all the meetings of the Sub-Committees of the Whole on International Protection and on Administration, as well as any special meetings of the Executive Committee that might be convened.

92. Mr. SSALI (Uganda) said his Government fully supported the High Commissioner's initiative in placing the refugee problem high on the international agenda, and shared his concern that that problem had hitherto been marginalized and viewed essentially as a charity matter. It also supported the recent changes within UNHCR designed to improve performance, and welcomed the appointment of Mr. Bwakira as Director of the Regional Bureau for Africa.

93. His delegation wished to express its appreciation for the excellent job done by the UNHCR in facilitating the return home of Namibian exiles in time to participate in the historic elections which had led to the birth of independent Namibia. He also noted with pleasure the rapprochement between Ethiopia and Somalia, which had facilitated the concluding of arrangements aimed at finding a durable solution for Ethiopian refugees in Somalia. Developments in South Africa, notably the release of Nelson Mandela and the initiation of negotiations between the African National Congress (ANC) and the Pretoria Government, were also encouraging.

94. Refugee problems were not intractable, but they could only be adequately addressed once the prime factors that had forced so many into exile had been removed. In that regard, he welcomed the initiatives taken by the Economic Community of West African States (ECOWAS) to restore peace and stability in Liberia, and also supported the international consensus on the situation in the Gulf region. However, the living conditions of refugees were continuing to degenerate, due in part to so-called "donor fatigue", and in part to the steady deterioration in the economies of host countries, the majority of which were among the least developed countries in the world. He therefore wished to call on members of the international community to increase their contributions to the UNHCR and to other development and aid agencies, to enable them to offer tangible assistance to such countries in the spirit of burden-sharing and solidarity.

95. His country and Rwanda had recently taken a number of steps to solve the long-standing problem of Rwandese refugees in Uganda. Three joint meetings had been held at ministerial level to discuss implementation of recommendations made by the UNHCR's Independent Committee of Experts, which it was hoped would lead to an amicable settlement of the problem, especially now that the conditions that had created refugees in Rwanda had ceased to exist. He had also been pleased to note the resolutions recently adopted by Heads of State and Government of the OAU calling for regional co-operation to solve the refugee problem in Africa, and urged the international community to support those initiatives.

96. As a result of the recent serious financial crisis within UNHCR, some of the Office's most vital activities had been deferred and some abandoned altogether. Uganda had been hard hit by UNHCR's decision to phase out its assistance activities to refugees in the south-west of the country, where more than three quarters of the total refugee population was concentrated. It was suffering from financial constraints owing to the fall in coffee prices on the world market, and that situation had been aggravated by recent developments in the Gulf region, which had led to an increase of over 140 per cent in fuel costs. Despite those difficulties, his Government had successfully completed resettlement of over 500,000 Ugandan returnees from all over the world, and was continuing to receive refugees from other countries, notably the Sudan.

97. The activity worst hit by the phasing out of UNHCR assistance had been education. The numbers of pupils benefiting from the Office's Education Project had fallen dramatically, and it was estimated that in 1991 the beneficiaries would be as few as 100. The policy of integrating refugee settlements within local district development plans had also suffered seriously as a result of the cutback. That policy had relied on UNHCR help in strengthening existing infrastructure over an area extending beyond the settlements themselves, for example by providing roads, boreholes, and

transport facilities. Hopes for a more harmonious coexistence between refugee communities and Ugandan nationals had thus been disappointed, though provision of the necessary funding and services could still improve the situation.

98. Despite the shortfall in financial support, appreciable success had been achieved in certain sectors. In the north-west, two new settlements had been opened for over 5,000 Sudanese refugees who had previously been housed in various transit camps, and work was under way to provide access roads and water boreholes. He was also proud to report that the transfer of 6,000 Sudanese refugees from Kitgum to their final settlement in Masindi had been completed in May of that year, while another 2,000 Sudanese refugees in Arua had been transferred to Moyo district for resettlement. He commended the role played by the UNHCR, by Médecins Sans Frontières (Netherlands), the World Food Programme and the European Economic Community (EEC) in providing relief assistance to the refugees in the course of their transfer.

99. However, the situation in Moyo was a difficult one. Social and economic infrastructure was virtually non-existent, owing to the deliberate policy of destruction and neglect pursued by previous régimes. There was thus a need for new roads, health and educational facilities, water supplies, and shelter, particularly in view of the fact that the majority of Ugandan returnees from the Sudan and Zaire had been resettled in the same area. He hoped that UNHCR would pay special regard to that pathetic situation when planning its programmes for the next financial year.

100. The account he had given showed that the funds allocated for refugee activities in Uganda had been well utilized. Unfortunately, the allocations for 1990, which had initially amounted to some $2.3 million, had now dropped to some $1.7 million, and even that figure was to be revised downwards. The needs of the refugee population in Uganda were far in excess of what could be met by the funds at the country's disposal, and that population was increasing rather than decreasing. His delegation therefore urged the international community to respond to the appeal for development assistance, while at the same time recording its appreciation to major donors and humanitarian organizations for their invaluable support to the cause of refugees.

101. Uganda's position was that the right of an individual to return to his country of birth was not negotiable. International pressure should therefore be brought to bear on countries which abused that fundamental right, so that the phenomenon of refugees could be eliminated once and for all. He wished to assure the Committee of his Government's total commitment to the search for a lasting solution to the problem of refugees.

102. Mr. NKOMO (Observer for Zimbabwe) noted with satisfaction that UNHCR had managed to stay afloat despite the severe financial constraints from which it now suffered. The magnitude of the refugee problem persisted, and new crises were erupting around the world which called for intervention by UNHCR, notably in Liberia and in the Gulf region.

103. In his own region, southern Africa, the conflicts that had given rise to the refugee problem still persisted, and Zimbabwe continued to provide asylum for well over 90,000 refugees. Despite the hopes raised by the political dialogue now in progress between the ANC and the Pretoria régime, violence within South Africa had escalated, and armed activity by dissidents in Mozambique and Angola was continuing. The refugee problem in the region thus remained acute.

104. In compliance with its obligations under the United Nations Convention relating to the Status of Refugees, Zimbabwe was providing assistance of all kinds to refugees which had sought asylum within its borders. That assistance ranged from the provision of food and shelter to education, both formal and informal, and vocational training. However, due to its limited resources, it had been experiencing severe difficulties in providing adequate transport for the refugee camps, which had meant that refugees suffering from malnutrition and related diseases could not be taken to district hospitals for treatment. That was just one of many areas in which Zimbabwe's refugee programmes had been affected by UNHCR's financial crisis.

105. He hoped that the international community would be able to provide sufficient funds to help the Office overcome its present difficulties, so that refugees around the world could be assured adequate protection and a decent life. In monetary terms, Zimbabwe's assistance to refugees amounted to well over $200 million. It continued to rely on assistance from the international community and from UNHCR, in accordance with the principle of equitable burden-sharing, in implementing its various refugee programmes.

The meeting rose at 6 p.m.

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HIGH COMMISSIONER FOR REFUGEES

Forty-first session

SUMMARY RECORD OF THE 455th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 2 October 1990, at 10 a.m.

Chairman: Mr. AZIKIWE (Nigeria)

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General debate (continued)

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The meeting was called to order at 10.30 a.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Mr. MARKIDES (Observer for Cyprus), said the world was rapidly changing. Old concepts, ideas and values had been swept away and replaced, for the most part peacefully, by new ones. Relations between East and West had acquired a new dimension and a wind of co-operation and co-ordination was blowing on the United Nations. However, the picture was, unfortunately, far from idyllic, as was shown by recent events in the Gulf and by the fact that a number of long-standing regional problems were still unresolved. Positive or negative, those changes and events led to the unavoidable conclusion that UNHCR, its mandate and its role also needed to be reviewed. It was both imperative and urgent that the problem of refugees - in the widest sense of the term - should immediately be placed on the political agenda, as had been stressed by the High Commissioner himself, as soon as he took office. It was indeed the collective responsibility of nations to consider the problems of refugees and to eliminate the root causes of those problems. It was the role of UNHCR to seek to eliminate human suffering, but fulfilment of that role, important though it was, could not in itself resolve the overall problem of refugees.

2. His delegation believed the time had come to reflect on the future role UNHCR might be called upon to play, and to consider whether it should keep its activities strictly within the mandate, or should envisage new ones, wider in scope than those provided for under that mandate. Organizations, like people, had to adapt in order to survive, especially in times of change. UNHCR should be allowed the opportunity to survive.

3. Financially, UNHCR had been through a major crisis. If there was a lesson to be learned from that experience, it was that even in the midst of the worst crisis, solutions could always be found provided there was willingness, co-operation and sensitivity to human tragedy. UNHCR's funding should not be permitted to become an insurmountable obstacle. If the rich countries could afford to spend billions of dollars daily on arms, they could and should spend money on UNHCR as well. The mission and work of UNHCR were also based on international law, human rights and human dignity.

4. Although the worst of the crisis had passed, UNHCR's financial situation still did not permit it to plan for the future. That was a tragic consequence of the crisis, and all the more regrettable since UNHCR was dealing with human beings, and had to satisfy the most basic needs for survival. It was to be hoped that the current session of the Executive Committee would find a way out of that dilemma, and would give new hope to millions of refugees throughout the world. Cyprus, a small country with limited resources, where refugees or displaced persons comprised one third of the population, was mindful of UNHCR's mission, and was trying within its limits, to respond to its numerous appeals, in the hope that durable solutions could be found.

5. He congratulated the High Commissioner and his staff on the excellent work they had done under very difficult conditions. The restructuring of UNHCR was progressing smoothly, without adverse effects on the way its mission was being carried out. UNHCR was scoring successes and was on the right track. However, one remark was in order: one must beware of reducing the refugee problem merely to numbers, considerable though those numbers were.

Instead, one should always bear in mind the individual human being, his fundamental rights and dignity, and the moral and legal obligation to offer him the means of surviving as a human being.

6. Ms. KOUROLA (Finland), noted that, as the High Commissioner had told the current session of the Executive Committee, the present situation gave reason for both optimism and for concern. On one hand, the optimism stemmed from many positive political changes which should prove conducive to attaining solutions to refugee problems in all continents. However, new conflicts and crises had occurred. The crisis in the Gulf region was a good illustration of the complexity of contemporary population movements, and of the need to view refugee problems in a broader perspective. The crisis was having repercussions first and foremost on migrant workers and immigrants, although refugees and displaced persons were also affected. The Government of Finland was following with concern the plight of all those forced to leave Iraq and Kuwait. While the United Nations Security Council was seeking a political solution to the crisis, international organizations within their respective mandates were trying to remedy the situation by economic and humanitarian measures, both immediate and long-term. Finland, for its part, had assisted such international organizations by contributing in all approximately $5.3 million to relief programmes in the countries neighbouring Iraq and Kuwait. That contribution included a sum of half a million dollars allocated to UNHCR's activities in the area. That contribution in its totality had come from development co-operation funds, other than those reserved for the protection and assistance of refugees.

7. In emergency situations, inter-agency co-ordination was of particular importance. The Governing Council of UNDP and the Economic and Social Council had paid particular attention to that issue in the summer of 1990. The resolutions they had adopted had called for a system-wide review to assess the mandates of United Nations agencies and their capacity to respond to multi-faceted problems of refugees, returnees and displaced persons. Her Government had been a sponsor of those resolutions. She wished to reaffirm at the current session of the Executive Committee the importance of such an exercise. She would also like to stress the importance of efficient co-operation with governmental and non-governmental organizations outside the United Nations system. Such co-operation was called for not only at Headquarters level, but especially in the field. Her delegation had noted with satisfaction the measures already taken by the High Commissioner to enhance inter-agency co-operation.

8. The High Commissioner also proposed, in paragraph 26 (xi) of the Note on International Protection (A/AC.96/750), that UNHCR should assume responsibilities in co-ordinating the safe and dignified return of rejected aslyum seekers. Her delegation had some hesitation about that proposal because its ramifications were as yet unknown. If the High Commissioner's role in regard to rejected asylum seekers was to be purely non-operational, she could see some merit in the proposal. The High Commissioner could play a catalytic role and alert public opinion to the special situation of rejected asylum seekers. If, on the other hand, it implied operational involvement by the High Commissioner, her delegation would not be prepared to support it before the system-wide review had been carried out. A thorough examination of all possible forms of co-operation with organizations outside the United Nations system might also offer other means of dealing with the problem of rejected asylum seekers.

9. It was encouraging to note that, in addition to his co-ordination efforts, the High Commissioner had addressed the issue of UNHCR's emergency preparedness. Finland, together with the other Nordic countries, had expressed concern in other forums about the effectiveness of the United Nations system in responding to emergency situations. The integration of UNHCR's activities into national emergency plans was a step in the right direction. Similar integration into the plans and activities of other United Nations agencies and of governmental and non-governmental organizations should also be undertaken. Timely and adequate response by donors was only possible if appeals for assistance and relief activities were properly co-ordinated.

10. It had become evident that refugee problems could only be solved through concerted action by all parties concerned. UNHCR carried out activities under its mandate, and donors expressed their solidarity in the form of moral and financial support. However, countries of origin should also do their fair share in the search for solutions. Hitherto, the responsibilities of countries of origin had in general not been clearly spelt out. The High Commissioner's proposal to examine the concept of State responsibility in respect of the country of origin should therefore be supported.

11. On the question of the mitigation or eradication of the root causes of refugee movements, she said that Finland, together with the other Nordic countries, had emphasized, in a recent ministerial statement, the relationship between development co-operation, democracy and human rights. Finland was also willing to contribute to the work of the new working group on solutions and protection. That working group could draw on regional undertakings, such as the informal consultations on asylum seekers in Europe and North America, and the CIREFCA project.

12. Her Government had noted with concern that there was still a considerable gap between the agreed target and the current status of contributions for 1990. It was particularly disturbing that many of UNHCR's solution-oriented activities had had to be discontinued or postponed due to lack of funds. Finland, for its part, had done its utmost to assist UNHCR in the difficult financial situation it continued to face. In the course of the current year, it had made contributions amounting to some $28 million, representing an increase of some $5 million compared with the total contribution paid in 1989. Finland was now one of the five biggest UNHCR donors in absolute terms. That was a great deal for a small country, and Finland would not be able to do much more. The latest contributions had been decided on the basis of a needs assessment made jointly by Finland and the UNHCR. The programmes supported benefited refugees from Indo-China, Liberia, Mozambique, Ethiopia and the Gulf region. Finland had also made a contribution to the legal database project.

13. Finland was at present shouldering a considerable financial burden on account of the dramatic increase in the number of asylum seekers who had arrived on its territory that year. The Finnish authorities were doing their utmost to ensure that their status was determined as speedily as possible and that provision was made for their maintenance in the meantime. In addition to those asylum seekers, her Government had pledged itself to receive a quota of 500 refugees in 1990, and expected to take in the same number in 1991. The Government would continue to give moral and financial support to the High Commissioner and his staff in their humanitarian work on behalf of refugees.

14. Mr. SUTHANKUL (Thailand) said that without wishing to minimize the refugee problems occurring in other countries, he would like to give an account of the situation in his own. Thailand's camp population had increased recently as a result of large-scale inflows during the first months of 1990 coupled with an alarmingly high birth rate in the camps. That situation was of concern to the Thai authorities. The Vietnamese accounted for the largest share of that increase. Since the adoption of the Comprehensive Plan of Action (CPA) by the International Conference on Indo-Chinese refugees in Geneva in 1989, the implementation of the Plan had yielded both positive and negative results as far as Thailand was concerned. There had been positive developments in two areas: that of the resettlement of people who had arrived before the cut-off date, and that of voluntary repatriation. There were currently in Thailand only about a thousand Vietnamese who had arrived before the cut-off date, and they could probably be easily resettled in third countries within the agreed three-year time-limit. As for Vietnamese who had arrived after the cut-off date and were still in the camps, although the number who had returned to their homeland on the basis of voluntary repatriation was still relatively small as compared to the total numbers, the return of this first batch could be seen as a promising start. In that connection, he expressed his Government's gratitude to UNHCR and to Viet Nam for their co-operation.

15. On the negative side, there remained the problems of preventing clandestine departures and avoiding the return of non-refugees, in other words of persons who after screening had not been accepted as having refugee status. Their case was of concern to his Government. Failing an agreement or an intermediate solution, countries of temporary refuge would have to bear the remaining burden. The CPA could only provide durable solutions to the humanitarian problems posed by the Vietnamese boat people if all parties concerned honoured their commitments in that respect. His delegation hoped that that would be the case.

16. The arrangements made to resolve the question of the Lao refugees could serve as a model for the solution of the problem of other Indo-Chinese refugees. The three rounds of trilateral negotiations between UNHCR, the Lao People's Democratic Republic and Thailand, which had been in progress since 1989, had yielded concrete results, notably in regard to repatriation. The most recent of those meetings, held at high level in August of that year, had achieved a major breakthrough. The three parties had agreed to formulate a comprehensive plan to resolve the Lao refugee issue within a definite time-frame. That achievement had been made possible by the sincerity and determination shown by all involved. However, the joint Thai-Lao endeavour had need of UNHCR assistance in two areas: first, a campaign had to be launched to induce long-stayers to opt for return; and secondly, the Lao People's Democratic Republic would need financial assistance if it was to be capable of accepting more Lao returnees.

17. Concerning the question of displaced persons from Cambodia now in Thailand, a solution seemed to be in sight. Many Cambodians living in the border zone between Thailand and Cambodia were optimistic, and happy at the prospect of making the long awaited return to their homeland. Until such time as that return became a reality, the Thai Government would be giving them every possible assistance. Over the past 12 years, that assistance had included educational and vocational training programmes, programmes to

increase awareness of the dangers of mines, and the transfer of refugees from Ban Bantag to Khao I-Dang with a view to economizing on UNHCR expenditure. Thailand would continue to co-operate actively with UNHCR in support of the repatriation plan.

18. He could not refer to Cambodians in Thailand without a mention of those Thai villagers whose lives and property were also at risk because of the mining of the countryside and the conflicts taking place in Cambodia. They too needed sustained international assistance.

19. The Thai Government would continue to provide temporary refuge to Indo-Chinese asylum seekers awaiting repatriation or resettlement in third countries. In the light of the continuing inflow of refugees, he urged the international community to help alleviate their plight.

20. Experience had shown that there were five basic ingredients for the success of any humanitarian undertaking: humanitarian feeling, determination, mutual understanding, realism and co-operation. Those in dire need of help should be able to count on those requirements being met.

21. Mr. IJUIN (Japan) regretted that at a time when co-operation had developed between régimes and systems which had at one time seemed irreconcilable, the number of refugees continued to grow, and now stood at almost 15 million. At the same time, countries of refuge were noting that asylum seekers were more and more frequently individuals seeking to better themselves economically rather than refugees in the strict sense of the term. They were therefore tending to tighten up border controls, thereby rejecting some bona fide refugees who might be liable to persecution if they returned to their country of origin. The very concept of asylum thus seemed to be challenged, and there was urgent need to find a solution which would ensure the protection of genuine refugees, while respecting the sovereign right of nations to control immigration. He hoped that the working group on durable solutions and international protection would propose viable solutions to solve that dilemma in a humane way, with the participation of other organizations concerned. Japan welcomed the Executive Committee's adoption at its previous session of conclusions on the question of irregular refugee movements; there now seemed to be a consensus on the principle of returning to the country of first asylum refugees and asylum seekers who had arrived in another country in an irregular manner.

22. In the Far East, the most serious problem was still that of Indo-Chinese refugees. In accordance with the Comprehensive Plan of Action, the problem was how to speed up the pace of their repatriation. To assist in that effort, the Japanese Government had contributed $534,000 for a vocational training project for returnees in Haiphong. Japan was pleased to note that the European Community had undertaken to draft a plan of action for the repatriation of Indo-Chinese refugees, which included financial assistance to facilitate their reintegration in their countries of origin. Japan was ready to co-operate with the European Community as soon as it received details of the plan.

23. In addition, the agreement between the United Kingdom, Viet Nam and UNHCR on the voluntary repatriation of non-refugees was encouraging. It was to be hoped that that agreement would make it possible to reduce the heavy burden borne by first asylum countries.

24. In view of the constant financial difficulties affecting the Comprehensive Plan of Action, he was pleased to announce that his country was to make a contribution of some $13 million for the activities under the Plan.

25. Where Cambodia was concerned, negotiations were in progress with a view to settling a 12-year old conflict and achieving the repatriation of Cambodian displaced persons. The Japanese Government had already made a contribution of $550,000 to the planning phase of that repatriation programme; it hoped it would be drawn up in such a way as to be financially feasible. With regard to Lao refugees and asylum seekers, Japan commended the smooth implementation of the refugee status determination and voluntary repatriation programmes developed by UNHCR and by the Thai and Lao Governments; those programmes could serve as an excellent model for the repatriation of non-refugees in other parts of the world.

26. Turning to the question of Afghan refugees, he noted that the pilot project had produced certain, although limited results, in that 9,235 families had returned to Afghanistan as of 28 September 1990. Japan was still prepared to allocate the remainder of its contribution to the United Nations Humanitarian and Economic Assistance Programme relating to Afghanistan (UNOCA) once definitive and viable plans for large-scale repatriation had been presented. In view of the fact that there were still 5.7 million Afghan refugees in Pakistan and Iran, Japan would like to pledge a contribution of some $7.3 million for the General Programme assistance to Afghan refugees in Pakistan and Iran.

27. On the African continent, the situation had worsened on account of the conflict in Liberia. In order to alleviate the suffering of some 500,000 Liberian refugees, the Japanese Government had contributed $1.3 million to UNHCR programmes, and was still prepared to provide emergency assistance to refugees in the region to the extent that its financial means allowed.

28. In Central America, the situation seemed to be improving now that Nicaraguan refugees had begun to return to their country. The Japanese Government had made a contribution of $1 million to the repatriation programme of the International Support and Verification Commission (CIAV).

29. Japan commended the High Commissioner and his staff for the efforts they had made to restructure UNHCR. It was encouraging to note that the report of the Temporary Working Group, and the comments made in the course of the previous session of the Executive Committee in regard to cost-cutting, had been taken into account. Japan was pleased to note that the new structure of UNHCR would be more action-oriented, and that the Evaluation Committee had been strengthened; it hoped that the newly appointed Controller would make an active contribution to improving the management of resources.

30. As to budgetary reform, it would be advisable to proceed cautiously on multi-year budgeting, because of the unpredictable nature of refugee situations. The question of the setting up of a special contingency fund needed to be examined carefully because the establishment of such a fund might lead to the depletion of contributions to the existing General Programmes and Special Programmes. It would also have to be made clear what was the precise difference between the proposed contingency fund and the existing Emergency Fund.

31. The financial and administrative reform of UNHCR had just begun, and would be a long and arduous undertaking. In the course of that reform, UNHCR would have to keep within the terms of the mandate given to it by the United Nations General Assembly. Japan was ready to contribute to the process by its active participation in discussions aimed at a further strengthening of the Office. As he had already suggested at the Executive Committee's extraordinary session, it might be advisable, with a view to reducing costs, to call on the services of the United Nations Volunteers.

32. Japan had ranked as the second contributor to UNHCR since 1979. That fact demonstrated how highly it valued the Office, which had a unique role to play in assisting refugees and must be enabled to continue to discharge its functions. He was certain that, under the able leadership of the High Commissioner and thanks to the dedication of his staff, UNHCR would continue to show itself fully capable - with the support of the international community - of meeting both present and future challenges.

33. Mr. SEMICHI (Algeria), after referring to the deterioration in the situation of refugees in certain countries and the alarming increase in their numbers following the recent emergence of new sources of tension, commended UNHCR's efforts to make the maximum use of its resources by cutting back on certain areas of expenditure, on the basis of the Temporary Working Group's recommendations, without any sacrifice of the spirit of solidarity which characterized its work. Much progress had also been achieved in the area of co-operation with other United Nations agencies notably WFP and UNDP, with a view to ensuring equitable burden-sharing and effective action on behalf of refugees.

34. The problem of refugees could no longer be stated in the same terms as after the Second World War: circumstances and motivations had changed, and right of asylum was now viewed in a new light. Solidarity made it imperative that some thought should be given to the reasons for that development, and that solutions should be sought to assist the millions of completely destitute human beings. UNHCR was now more than ever called upon to play a leading role in the protection of refugees, a task which was indissolubly linked with respect for human rights.

35. It was in the third world countries, which were beset with serious economic problems and were bearing heavy debt burdens, that the largest numbers of refugees were to be found. Despite all the difficulties they were undergoing, African countries had not hesitated to welcome populations in distress, often at the risk of causing serious imbalances. The Organization of African Unity had in fact just adopted at Khartoum a solemn declaration attesting to the willingness of those countries to shoulder their responsibilities fully and to spare no effort to assist the continent's refugees.

36. Algeria, would continue to grant asylum to Saharan refugees pending a just and durable settlement of the question of Western Sahara. In that connection, it welcomed the preparations being undertaken jointly by the United Nations and OAU to organize a referendum on self-determination, and noted that UNHCR would have a key role to play in the repatriation of those refugees.

37. In conclusion, he congratulated the High Commissioner on his dedication to the cause of refugees, and reminded members that it was vital that UNHCR's efforts should have the backing of donors and of the entire international community.

38. Mr. HIRSCHFIELD (Observer for Botswana) said that his country, which was a party to international and regional instruments relating to the status of refugees, including the 1951 Geneva Convention and the 1969 OAU Convention, upheld the basic principles laid down in those instruments, and followed a policy of accepting refugees and offering them such assistance as its limited resources allowed.

39. Botswana had repatriated some 4,000 Zimbabweans at the end of 1989, and 200 Namibians in March 1990. The operation had been carried out successfully, thanks to the co-operation of UNHCR and of the authorities of the three countries concerned. However, a number of refugees had remained in Botswana for a variety of reasons, and over 100 Zimbabweans had succeeded in obtaining Botswanan citizenship. In other words, a durable solution had been found for those who had decided to settle in the country.

40. However, there were still a number of refugees in Botswana, chiefly from South Africa. It was to be hoped that the release of Nelson Mandela and other political prisoners, as well as the lifting of the ban on political parties, would eventually create a climate conducive to the solution of the South African problem, and consequently to the solution of the problem of refugees in southern Africa.

41. The recent spate of violence in South Africa had resulted in an unprecedented influx of refugees into Botswana, for which the country had been unprepared. Botswana was having great difficulties in coping with the wave of new arrivals, particularly since UNHCR assistance seemed to be adversely affected by that body's financial difficulties. The Office was nevertheless preparing for the possible repatriation of South African refugees in Botswana, and his Government was co-operating fully with it by supplying it with data on the refugees.

42. The violence rife in South Africa was unfortunately threatening the success of the ongoing negotiations to find a solution to the problem of apartheid, and as a result there was a danger that a new flood of refugees might be unleashed. It was to be hoped UNHCR would continue to provide assistance which would enable them to be evacuated to countries of second asylum and would meet their basic needs, until such time as negotiations had produced a result satisfactory for all concerned.

43. Mr. NDZENGUE (Observer for Cameroon) said that although international relations had undergone profound changes since the adoption of the Geneva Convention in 1951, neither the definition of the concept of "refugee" nor the definition of the High Commissioner's protection function had been reviewed, and as a result they were no longer in keeping with the real situation.

44. There was no escaping the fact that economic underdevelopment seemed likely to become one of the main causes of migratory flows. It had led to the appearance of a new kind of refugee: an individual who had left his country not because he was threatened with persecution, but because economic conditions were such as to deny him all hope of a better life. That state of affairs had had repercussions at the doctrinal level, including that of protection in the broad sense.

45. His delegation had thus read with great interest the High Commissioner's Note on International Protection, and particularly welcomed UNHCR's new approach of endeavouring to integrate aid to refugees with development aid. By opting for a global strategy, the Office was beginning to adapt itself to a reality which was fundamentally different from the situation that had prevailed in 1951. The Government of Cameroon supported that strategy, but noted that its success would depend on a collective ability to come to the aid of the world's 15 million refugees, and to respond to emergency situations. Cameroon would continue to give UNHCR its full support; it endorsed the principle of burden sharing, while pointing out that the role of the leading backers was becoming increasingly significant. Since development and refugee protection were inextricably linked to respect for human rights, the international community, in a spirit of solidarity, should step up its efforts to find durable solutions to the menace constituted by the refugee problem.

46. Mr. de RIEDMATTEN (Switzerland) congratulated the Chairman on his election, which was also evidence of the Committee's recognition of the merits of the African countries in taking on the burden of admitting countless numbers of refugees, and of its appreciation of the hospitality offered them by the local population.

47. Since the Executive Committee's extraordinary session, Switzerland had followed with keen interest the efforts made by UNHCR to implement the recommendations of the Temporary Working Group. Outstanding work had already been done. The High Commissioner, when referring to the so called "six-pillar" strategy, had explained how he intended to reduce the gap between needs and resources. He himself would like to suggest three of the fronts on which the problem could be tackled.

48. The first essential was to make the best possible use of existing human and financial resources. UNHCR had taken a number of steps in that direction, notably by strengthening the Evaluation Group and by devoting more attention to censuses and statistics concerning refugees. However, still more attention should be payed to the monitoring and follow-up of projects carried out on behalf of UNHCR by State entities or by non-governmental organizations.

49. The second approach taken by UNHCR was that of determining programme priorities. The Temporary Working Group had recommended that the first activities to be carried out should be those that were essential to refugees' survival. In fact, there was a close interdependance among the various activities related to survival. As a member of the Swiss delegation during a visit to Africa had ascertained, budget cuts affecting different sectors, such as for example maintenance of the road network, reafforestation and the building up of contingency stocks, could produce a vicious circle leading to a marked deterioration in the state of health of refugees. One should therefore beware of favouring the short term at the expense of the long term on a systematic basis, because in effect activities with longer term objectives, such as the funding of development activities and repatriation programmes, could help to reduce the number of refugees. That would involve a special financial outlay, to which Switzerland was ready to contribute to the extent that its means allowed, and in the context of a common effort in which the burden would be shared in a more balanced way among a larger number of donors.

50. Even more important was the strengthening of co-operation among the various agencies of the United Nations system in efforts to assist refugees, displaced persons, and returnees to developing countries. There should be a clearer division of operational and financial responsibilities among the various organizations of the system. In fact, it was becoming increasingly difficult to establish a distinction between refugees within the meaning of the 1951 Convention, displaced persons and other persons forced to flee by conflicts and disasters. The High Commissioner had wondered whether the categories that had hitherto defined the limits of his role were still justified. That question merited careful consideration, for example by the working group on solutions and international protection.

51. Switzerland commended the efforts of UNHCR and of the World Food Programme (WFP) to promote closer co-operation. It was pleased to note that the problem of refugees had been so extensively discussed by the UNDP Governing Council, and awaited with interest the report of the Secretary-General on the results of the study requested by the Economic and Social Council as well as the ensuing recommendations. He stressed the need to strengthen co-operation with the International Organization for Migration (IOM) as well as with non-governmental organizations, which played a leading role in implementing UNHCR programmes.

52. UNHCR'S desire to have funds at its command which would enable it to respond without delay to unforeseen situations was legitimate, and Switzerland had no objection in principle to the setting up of a special emergency account. Indeed, it was willing to contribute to it. However, the funding of such an account should be left entirely to the discretion of donors. In addition, the terms and conditions for utilizing the fund should satisfy the same requirements of efficiency, economy and transparency as those for utilizing other UNHCR resources. It would be advisable to seek the opinion of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) on that point.

53. Switzerland was engaged in a continuing dialogue with UNHCR's funding services regarding the allocation of the resources it made available to the Office, with the object of enhancing the predictability of programme funding. It was in the context of that dialogue that Switzerland's contributions were apportioned among the various programmes considered as having priority, including any special contingency fund that might be set up. For the current year, he was in a position to announce a further contribution of SwF 4 million, in addition to the contribution his delegation had announced in May. That additional outlay attested to Switzerland's confidence in UNHCR.

54. Concerning the flow of asylum seekers towards the industrialized countries, he pointed out that for the first time in recent history, immigrants arriving in Switzerland in possession of entry permits and work permits were no longer in the majority. The legislation on asylum was increasingly being used as a parallel means for immigration. The first people to suffer from that development were refugees in genuine need of the protection of a country of asylum. The bodies responsible for determining refugee status were overwhelmed with applications from people who had left their country for basically economic reasons. That state of affairs might have an adverse effect on the public's attitude to refugees. Measures adopted at national level were no longer adequate to deal with the problem, nor was it likely to be solved by an extremely liberal immigration policy. Only a

co-ordinated international approach, designed to tackle the root causes of the outflow, could help to contain a migration phenomenon on such a scale. Such an approach would require not only close co-operation among the States concerned, but also support from multilateral organizations, notably agencies of the United Nations system. UNHCR had an important, although not exclusive role to play in that area. In that connection, he was grateful to the High Commissioner and to the Co-ordinator for Asylum Seekers in Europe and North America for their assistance with a view to resolving the problem of movements of refugees and asylum seekers. Switzerland was satisfied with the position assigned to the Co-ordinator in UNHCR's new structure. He also thanked UNHCR for setting up the working group on solutions and protection; Switzerland intended to participate actively in the group's work.

55. Switzerland was nevertheless fully aware that the overwhelming majority of refugees were to be found not in developed countries, but in developing countries, and it was conscious of the full weight of the burden those countries were bearing. However, if UNHCR was to be enabled to take up the challenge involved in refugee protection, it had to be able to depend on a combined effort being made by all the countries concerned - donor countries, host countries and countries of origin - as well as of all those international organizations which had a specific contribution to make.

56. Mr. EL GHALI BENHIMA (Morocco) said that despite the progress achieved in Namibia, Central America and South-East Asia, the refugee situation still gave cause for concern, and it was thus necessary for the international community to step up its efforts in respect of protection and assistance, awaiting durable solutions. In that connection, UNHCR was to be congratulated on the good work it had done with the limited resources at its disposal.

57. Despite the repatriation and resettlement of a sizeable number of refugees, durable solutions were still beyond the reach of many others. Accordingly, particular attention should be paid to those countries of first asylum which, despite an already precarious economic situation, were still having to accept large numbers of refugees. Assistance should be given to host countries, particularly in Africa, as well as to countries of origin, the latter with a view to resettlement. His delegation was pleased to note that the High Commissioner's Office was planning a special action programme to assist the Horn of Africa and Liberia, and that the United Nations Secretary-General had set up a special mechanism to deal with the exodus resulting from the Gulf crisis.

58. On the eve of the fortieth anniversary of the United Nations Convention relating to the Status of Refugees (1951), it was important to consolidate the instruments regulating that status. Since protection was the key element of the High Commissioner's mandate, the latter should be free to guarantee that protection without discrimination to political refugees and asylum seekers. Those who were now described as migrants, or refugees from poverty, should be entitled to enjoy that protection on humanitarian grounds. It was vital to enhance protection, while at the same time continuing to seek durable solutions. Effective protection required the strict implementation of the 1951 Convention and of the 1967 Protocol, and the acceleration of procedures for determining refugee status. The working group on protection and durable solutions set up at the Executive Committee's previous session should make it possible to reinforce the link between asylum and durable solutions, and to adapt new refugee situations to instruments now in force without altering the High Commissioner's mandate.

59. The recommendations relating to refugee women of the Sub-Committee of the Whole on International Protection were evidence of the interest shown in that especially vulnerable group; his delegation hoped that, as a result of the combined efforts of all competent United Nations bodies, including the Commission on the Status of Women, that category of refugees would have special protection. It also hoped that the same attention would be paid to refugee children.

60. His delegation noted with satisfaction that UNHCR's finances were now in a healthier state as a result of improved management of resources and a reduction in the numbers of secretariat staff. It welcomed the co-operation initiated between UNHCR and specialized agencies engaged in operational development activities on behalf of refugees, displaced persons and returnees. That co-operation respected the High Commissioner's mandate as well as the competence of the United Nations bodies concerned, in accordance with the relevant resolution adopted by the Economic and Social Council in July.

61. In conclusion, he said that UNHCR merited the fullest confidence of the international community for the perseverance, dedication and vigilance it had shown in carrying out its mandate.

62. Mr. MITIC (Yugoslavia) reiterated his Government's readiness to co-operate with UNHCR and member States in order to achieve the humanitarian goals set by the Executive Committee. It shared the High Commissioner's concern at the disparity between the increasingly serious plight of refugees world wide and the decrease in the amount of resources available to assist them.

63. Yugoslavia complied strictly with the provisions of the 1951 Convention in dealing with persons who had sought refuge in its territory. In 1989, there had been 7,000 such persons and for the current year that figure was not much lower, as a result of the increasing number of refugees from neighbouring countries. Despite the efforts of the Yugoslav authorities and the Resident Representative, it was difficult to provide suitable accommodation and food for all those in need of protection. The situation was made more difficult by the long waiting period for resettlement in third countries, and by the limited number of countries willing to receive refugees on a permanent basis. Yugoslavia, as a country of transit or first asylum, was particularly hard hit because of its ailing economy. His delegation hoped that consideration would be given to the fact that Yugoslavia was one of the very few European countries which had not yet called a halt to the influx of refugees, and also hoped that improvements in the situation of countries of origin would help to stem the tide of new arrivals. In the meantime, whatever the difficulties, it was Yugoslavia's duty to fulfil its obligations, with the support of all member States and in co-operation with the High Commissioner, as it had done for several decades by admitting thousands of refugees.

64. Mr. DZANJALIMODZI (Observer for Malawi) stressed that massive aid was required for those third world countries which, despite the precarious state of their economy, had to host large numbers of refugees. The international community had indeed been most generous, but much remained to be done in meeting both the emergency needs of refugees and the developmental needs of the host countries. UNHCR and donor countries should take account of those priorities when making budget cuts.

65. Africa was the continent most affected by the refugee phenomenon. In southern Africa, the largest group of refugees came from Mozambique, the country of origin of 1 million exiles, of whom over 840,000 were in Malawi.

66. For Malawi, the refugee phenomenon was nothing new, since the country had been hosting Mozambicans for many years; however, it had become more marked in 1986, with the arrival of over 7,000 refugees; since then, that figure had risen to the current level of 840,000 and was still rising, with regular arrivals of up to 10,000 persons per month. Such an influx had put a tremendous pressure on the country's socio-economic infrastructure, and he would like to thank countries and non-governmental organizations which were assisting Malawi either directly or through UNHCR.

67. However, although help from outside made it possible to meet emergency needs, it was not enough to sustain the country's overall economy or to secure the necessary structural adjustments. The Government was having to allocate to emergency assistance resources needed for the country's development. In addition, the rise of the refugee population was causing deforestation, land degradation, road damage and deteriorating veterinary, health and education services; it resulted in increased demand for already limited goods and services, sometimes to the detriment of Malawians themselves.

68. In co-operation with the World Bank, UNDP and UNHCR, the Government had developed a $25 million emergency programme for economic recovery starting in 1990-1991. The programme's objective was to restore a balance in the supply of goods and public services, and to strengthen the capacity of regions hosting refugees. It included support both for recurrent operating costs and support for capital investment needed for the rehabilitation and expansion of services. As Malawi continued to implement its vast programme of structural adjustment and constrained public expenditure in line with a carefully planned balance, it needed help in funding the recurrent and capital costs in areas such as health, forestry, veterinary services, education and transport. His Government hoped that the international community would continue to assist Mozambican refugees in Malawi, as well as the host country itself, until those refugees were able to return home.

69. The Government of Malawi welcomed the initiatives taken by the Government of Mozambique in an effort to find a durable solution to a conflict which had wrought so much destruction. Such a solution would facilitate voluntary repatriation in the future. He supported the appeal made by UNHCR for funding for its voluntary repatriation programme, in order to assist the reintegration of returnees into their own community.

70. In conclusion, he thanked UNHCR, other United Nations agencies and numerous donors for their continued support to the cause of refugees throughout the world, and more particularly in Malawi.

The meeting rose at 12.25 p.m.